

Final Programmatic Environmental Impact Statement for the Marine Mammal Health and Stranding Response Program

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APPENDIX B

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

JUN 20 2006

David A. Bergsten
U.S. Department of Agriculture
Animal and Plant Health Inspection Service
4700 River Road, Unit 14
Riverdale, MD 20737-1238

Dear Mr. Bergsten:

The National Marine Fisheries Service (NMFS) is working on an Environmental Impact Statement (EIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). Some activities of the MMHSRP are conducted under a permit issued under the MMPA and Section 10(a)(1)(A) of the Endangered Species Act (ESA) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current MMPA/ESA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. Potential future activities of the MMHSRP will also be analyzed in the EIS.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The EIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

NMFS is the lead agency in the EIS process as defined in 40 CFR 1501.5. We invite your participation as a cooperating agency in this effort. Cooperating agency responsibilities are outlined in 40 CFR 1501.6. The degree of your involvement in the process will be determined by the extent of your authority/responsibilities; your interest, expertise, and resource availability; and your commitments. We encourage your full participation in the EIS process within the scope of your particular authority, responsibility, and/or expertise. This would include activities such as screening and evaluation of alternatives; information development; environmental, economic, or social analyses; and reviewing preliminary documents. However, at a minimum, we would request your assistance in developing information for the EIS within your expertise, as well as providing reviews of preliminary documents.



We look forward to your response, which should include a point of contact for your agency. If you have any questions, please contact Ms. Sarah Howlett or Ms. Sarah Wilkin at (301) 713-2322.

Sincerely,

A handwritten signature in cursive script that reads "Stewart Harris".

Stewart Harris

Acting Chief,

Marine Mammal and Sea Turtle Division

Office of Protected Resources

National Marine Fisheries Service



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

4700 River Road
Unit 84
Riverdale, MD
20737

July 14, 2006

Mr. Stewart Harris
Acting Chief, Marine Mammal and Sea Turtle Division
Office of Protected Resources
NOAA, NMFS
1315 East West Highway
Silver Spring, MD 20910

Dear Mr. Harris:

This is in regard to your letter of June 20, 2006, to David Bergsten, USDA, regarding cooperation on the EIS for the Marine Mammal Health and Stranding Response Program. This letter has been referred to me, and I have been asked to serve as the liaison and consultant. I work for the Animal Care program, and am the Staff Veterinarian for Exhibition Animals, including marine mammals. I work closely with your office, both with Drs. Whelan and Rowles, and with the Permits, Conservation, and Education Division.

Please feel free to contact me as needed during the EIS project. I have been involved in the development of the standards you reference. Thank you for your cooperation in this matter.

If there are any questions, please feel free to contact this office.

Sincerely,

Barbara Kohn
Senior Staff Veterinarian
Animal Care

301-734-8271
301-734-4978 (FAX)



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

JUN 20 2006

Michael L. Gosliner, Esq.
NEPA Coordinator
Marine Mammal Commission
4340 East-West Highway, Suite 905
Bethesda, MD 20814

Dear Mr. Gosliner:

The National Marine Fisheries Service (NMFS) is working on an Environmental Impact Statement (EIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). Some activities of the MMHSRP are conducted under a permit issued under the MMPA and Section 10(a)(1)(A) of the Endangered Species Act (ESA) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current MMPA/ESA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. Potential future activities of the MMHSRP will also be analyzed in the EIS.

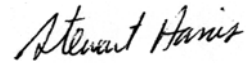
NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The EIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

NMFS is the lead agency in the EIS process as defined in 40 CFR 1501.5. We invite your participation as a cooperating agency in this effort. Cooperating agency responsibilities are outlined in 40 CFR 1501.6. The degree of your involvement in the process will be determined by the extent of your authority/responsibilities; your interest, expertise, and resource availability; and your commitments. We encourage your full participation in the EIS process within the scope of your particular authority, responsibility, and/or expertise. This would include activities such as screening and evaluation of alternatives; information development; environmental, economic, or social analyses; and reviewing preliminary documents. However, at a minimum, we would request your assistance in developing information for the EIS within your expertise, as well as providing reviews of preliminary documents.



We look forward to your response, which should include a point of contact for your agency. If you have any questions, please contact Ms. Sarah Howlett or Ms. Sarah Wilkin at (301) 713-2322.

Sincerely,

A handwritten signature in cursive script that reads "Stewart Harris".

Stewart Harris

Acting Chief,

Marine Mammal and Sea Turtle Division

Office of Protected Resources

National Marine Fisheries Service



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

JUN 20 2006

Pat Carter
NEPA Coordinator
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive
Arlington, VA 22203

Dear Ms. Carter:

The National Marine Fisheries Service (NMFS) is working on an Environmental Impact Statement (EIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). Some activities of the MMHSRP are conducted under a permit issued under the MMPA and Section 10(a)(1)(A) of the Endangered Species Act (ESA) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current MMPA/ESA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. Potential future activities of the MMHSRP will also be analyzed in the EIS.

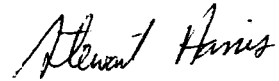
NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The EIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

NMFS is the lead agency in the EIS process as defined in 40 CFR 1501.5. We invite your participation as a cooperating agency in this effort. Cooperating agency responsibilities are outlined in 40 CFR 1501.6. The degree of your involvement in the process will be determined by the extent of your authority/responsibilities; your interest, expertise, and resource availability; and your commitments. We encourage your full participation in the EIS process within the scope of your particular authority, responsibility, and/or expertise. This would include activities such as screening and evaluation of alternatives; information development; environmental, economic, or social analyses; and reviewing preliminary documents. However, at a minimum, we would request your assistance in developing information for the EIS within your expertise, as well as providing reviews of preliminary documents.



We look forward to your response, which should include a point of contact for your agency. If you have any questions, please contact Ms. Sarah Howlett or Ms. Sarah Wilkin at (301) 713-2322.

Sincerely,

A handwritten signature in black ink that reads "Stewart Harris". The signature is written in a cursive style with a large initial 'S'.

Stewart Harris

Acting Chief,

Marine Mammal and Sea Turtle Division

Office of Protected Resources

National Marine Fisheries Service



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

In Reply Refer To:
FWS/DHRC/BRMS/028856

DEC 19 2006

David Cottingham
Chief, Marine Mammal and Sea Turtle Division
NOAA-Fisheries Office of Protected Resources
1315 East-West Highway
Silver Spring, Maryland 20910

Dear Mr. Cottingham:

The Fish and Wildlife Service has received your letter dated December 1, 2006, concerning the preliminary Draft Programmatic Environmental Impact State (DPEIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). We appreciate the offer to serve as a cooperating agency and the opportunity to review this document in advance of its submission to the Environmental Protection Agency and subsequent publication of the Notice of Availability in the *Federal Register*.

Unfortunately, due to resource limitations, the Service is unable to participate as a cooperating agency at this time on this DPEIS and should not be identified as such. In addition, we will not be able to review and provide comments on the DPEIS prior to its submission to the *Federal Register*. Instead, we will use the *Federal Register* public comment period as our opportunity to provide any comments.

The Service supports collaborative efforts with NOAA-Fisheries for our joint responsibilities. We note that under the Marine Mammal Protection Act, with the exception of section 408, the MMHSRP is a program created and implemented by the Secretary of Commerce. The Service does not have the resources to provide an equivalent participation in this program. However, the Service will continue to work with NOAA-Fisheries as we finalize the associated *Interim Standards for the Release of Rehabilitated Marine Mammals*, which are identified as a part of the MMHSRP, and will provide input on any aspect of the DPEIS as it relates to the management of those marine mammals under the jurisdiction of the Secretary of the Interior during the public review process.



Mr. David Cottingham

2

We look forward to our continued working relationship with NOAA-Fisheries on these and other issues that impact management of marine mammals. Please contact Martin Kodis, Chief of the Branch of Resource Management Support, at 703-358-2161 with any questions.

Sincerely,

A handwritten signature in black ink that reads "David J. Stout". The signature is written in a cursive style with a large, prominent "D" and "S".

Chief,
Division of Habitat and Resource Conservation



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

JUN 22 2006

James F. Devine
U.S. Geological Survey
12201 Sunrise Valley Drive
Reston, VA 20192

Dear Mr. Devine:

The National Marine Fisheries Service (NMFS) is working on an Environmental Impact Statement (EIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). Some activities of the MMHSRP are conducted under a permit issued under the MMPA and Section 10(a)(1)(A) of the Endangered Species Act (ESA) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current MMPA/ESA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. Potential future activities of the MMHSRP will also be analyzed in the EIS.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The EIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

NMFS is the lead agency in the EIS process as defined in 40 CFR 1501.5. We invite your participation as a cooperating agency in this effort. Cooperating agency responsibilities are outlined in 40 CFR 1501.6. The degree of your involvement in the process will be determined by the extent of your authority/responsibilities; your interest, expertise, and resource availability; and your commitments. We encourage your full participation in the EIS process within the scope of your particular authority, responsibility, and/or expertise. This would include activities such as screening and evaluation of alternatives; information development; environmental, economic, or social analyses; and reviewing preliminary documents. However, at a minimum, we would request your assistance in developing information for the EIS within your expertise, as well as providing reviews of preliminary documents.



We look forward to your response, which should include a point of contact for your agency. If you have any questions, please contact Ms. Sarah Howlett or Ms. Sarah Wilkin at (301) 713-2322.

Sincerely,

A handwritten signature in black ink that reads "Stewart Harris". The signature is written in a cursive style with a large initial 'S'.

Stewart Harris

Acting Chief,

Marine Mammal and Sea Turtle Division

Office of Protected Resources

National Marine Fisheries Service



United States Department of the Interior

U. S. GEOLOGICAL SURVEY

Reston, VA 20192

In Reply Refer To:
Mail Stop 423

June 29, 2006

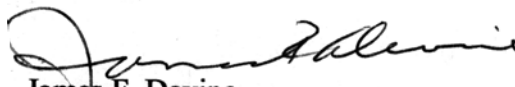
Stewart Harris, Acting Chief
Marine Mammal and Sea Turtle Division
Office of Protected Resources
National Marine Fisheries Service
Silver Spring, Maryland 20910

Dear Mr. Harris,

This is in response to your letter dated June 22, 2006, requesting that the U.S. Geological Survey (USGS) participate as a Cooperating Agency on an Environmental Impact Statement (EIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). It is the policy of the USGS to decline requests to be an official Cooperating Agency in the NEPA activities of another Federal agency except where the proposed Federal action may directly affect our facilities or the conduct of our work. However, the Survey as part of our mission will continue to provide science support to other agencies when our data and scientific expertise have relevance to their proposed actions undergoing NEPA review. Such assistance could include attending or making presentations at scoping and technical meetings, and conducting special studies and data collection projects.

If you have any question concerning our decision, you can contact me at (703) 648-4423 or Susan D. Haseltine, Associate Director of the USGS Biological Resources Discipline at (703) 648-4050.

Sincerely,



James F. Devine
Senior Advisor for Science Applications

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

«Prefix» «First_Name» «Last_Name»
«Title»
«Organization_Name»
«Department»
«Address_1»
«Address_2»
«Address_3»

**Subject: Consistency Determination – Marine Mammal Health and Stranding Response
Program Programmatic Environmental Impact Statement**

Dear «Prefix» «Last_Name»:

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) is announcing the availability of a Draft Programmatic Environmental Impact Statement (PEIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP). Preparation of the PEIS is being conducted in accordance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality Regulations for Implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508). The Draft PEIS is enclosed and may also be downloaded from the NMFS Office of Protected Resources MMHSRP website at <http://www.nmfs.noaa.gov/pr/health/eis.htm>.

Enclosed for review is NMFS' Consistency Determination under the Coastal Zone Management Act (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C for the Proposed Actions and Preferred Alternatives associated with the MMHSRP. Please submit your state agency's concurrence with, or comments on, this Determination within 60 days from the receipt of this letter (15 CFR 930.41) by one of the following methods:

(1) By mail to:
Mr. David Cottingham
Chief, Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Room 13635
Silver Spring, MD 20910-3226

(2) Or by fax to: (301) 427-2584
(3) Or by e-mail to: mmhsrpeis.comments@noaa.gov

If NMFS does not receive a reply from a state agency within 60 days from the receipt of the consistency determination and supporting information as required by 15 CFR 930.39(a) and there has not been an extension of the 60-day review period, then NMFS will assume concurrence.



Thank you for your assistance. If you have any questions about the MMHSRP or the Draft PEIS, please contact Ms. Sarah Howlett or Ms. Sarah Wilkin at (301) 713-2322.

Sincerely,

David Cottingham
Chief,
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources

Enclosures: Consistency Determination and Draft PEIS

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Alabama Department of Environmental Management (ADEM), Coastal Area Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under the Code of Alabama, Title 9, Chapter 7, Section 16, and pursuant to the CZMA (16 U.S.C. 1452), ADEM is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the Alabama Coastal Area Management Program (ACAMP). Therefore, the PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of ACAMP's Provisions Relating to Coastal Activities (ADEM Administrative Code, Chapter 335, Division 8, Section 2).

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no significant impacts on Alabama's coastal resources are anticipated. In accordance with ADEM Administrative Code 335-8-2 the preferred alternatives, with mitigation, would not adversely affect: historical, architectural or archeological sites; wildlife and fishery habitat; or public access to tidal and submerged lands, navigable waters and beaches or other public recreational resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the ACAMP. The ACAMP has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

POST OFFICE BOX 301463 36130-1463 ♦ 1400 COLISEUM BLVD. 36110-2059

MONTGOMERY, ALABAMA

WWW.ADEM.STATE.AL.US

(334) 271-7700

ONIS "TREY" GLENN, III, P.E.

DIRECTOR

BOB RILEY

GOVERNOR

May 4, 2007

Facsimiles: (334)

Administration: 271-7950
General Counsel: 394-4332
Communication: 394-4383
Air: 279-3044
Land: 279-3050
Water: 279-3051
Groundwater: 270-5631
Field Operations: 272-8131
Laboratory: 277-6718
Mining: 394-4326

David Cottingham
Chief, Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Room 13635
Silver Spring, MD 20910-3226

RE: Proposed Federal Action: *"Draft Programmatic Environmental Impact Statement (PEIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP)."*

Dear Mr. Cottingham:

Reference is made to the March 9, 2007 request submitted by the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service, for the State of Alabama's coastal consistency determination regarding the referenced proposed draft programmatic environmental impact statement. A coastal consistency determination was requested pursuant to 15 CFR § 930.41.

The South Alabama Regional Planning Commission's (SARPC) advertisement of this proposed federal action by public notice has been completed. Based upon review of the information submitted with the request for coastal zone management consistency determination, it appears the proposed draft programmatic environmental impact statement would not result in significant negative impacts to Alabama's coastal resources pursuant to ADEM Administrative Code Rule 335-8-2-.01 (2(b & c)). Therefore, the Alabama Department of Environmental Management has no objections to the National Marine Fisheries Service's statement of coastal consistency.

If you have any questions, please contact Jennifer Robinson of the ADEM Coastal/Facility Section office in Mobile at 251/432-6533 or jrobinson@adem.state.al.us.

Sincerely,

Steven O. Jenkins, Chief
Field Operations Division

Cc: Steve Heath – ADCNR-MRD Gulf Shores



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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Alaska Department of Natural Resources, Office of Project Management and Permitting, Coastal Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Alaska's Coastal Management Program Statute (Title 46, Chapter 39, Section 10), "the Department of Natural Resources shall render, on behalf of the state, all federal consistency determinations and considerations authorized by 16 U.S.C. 1456 (Section 307, Coastal Zone Management Act of 1972)." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under 1) the Standards of the Alaska Coastal Management Program (Alaska Administrative Code, Title 6, Chapter 80, Article 2, Uses and Activities) and 2) the Anchorage Coastal District Enforceable Policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Alaska's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the enforceable policies regarding, marine habitats, water quality, coastal resources in subsistence areas, and cultural and architectural resources, and should present no foreseeable effects to these areas.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Alaska Coastal Management Program.

The Alaska Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the San Francisco Bay Conservation and Development Commission (BCDC) with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under McAteer-Petris Act, the BCDC is authorized to prepare an enforceable plan to protect the San Francisco Bay and its shoreline. Under this authority, and pursuant to the CZMA, BCDC is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the San Francisco Bay Plan. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of these policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

At this time, no significant impacts on San Francisco's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with enforceable policies regarding water quality, wetlands, tidal marshes, and tidal flatlands, and should present no foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the San Francisco Bay Plan. The BCDC has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the California Coastal Commission (Commission) with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under the California Coastal Act of 1976 (Public Resources Code, Division 20, Section 30330), the Commission is “designated as the state coastal zone planning and management agency for any and all purposes, and may exercise any and all powers set forth in the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451, et seq.).” Therefore, all activities authorized, funded, or carried out by the Federal Government that affect coastal zone resources must be reviewed by the Commission for consistency with the federally approved California Coastal Management Program and the California Coastal Act. The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under the California Coastal Act, Chapter 3, Coastal Resources Planning and Management Policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no significant impacts on California’s coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with enforceable policies regarding the

marine environment, particularly Article 4, Section 30230, which states that “marine resources shall be maintained, enhanced, and where feasible, restored” and that “Uses of the marine environment should be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms...”

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the California Coastal Management Program.

The California Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State’s response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Commonwealth of Northern Mariana Islands (CNMI), Office of the Governor, Coastal Resources Management Office with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Public Law 3-47, the Office of Coastal Resources Management is authorized to prepare an enforceable plan promote the conservation and wise development of coastal resources of the CNMI. Under this authority, and pursuant to the CZMA, the Office of Coastal Resources Management is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of Title 15. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of these policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

At this time, no significant impacts on CNMI coastal resources are anticipated. The preferred alternatives, with mitigation, would have no direct effects on areas of particular concern including shoreline, lagoon and reef, wetlands and mangrove, and coastal hazards areas. The MMHSRP is consistent with the goals of CNMI Public Law 3-47, the standards and policies in Title 15, Chapter 10, and federal water quality standards.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the CNMI Coastal Resources Management program. The Office of Coastal Resources Management has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Connecticut Department of Environmental Protection, Office of Long Island Sound Programs, Coastal Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

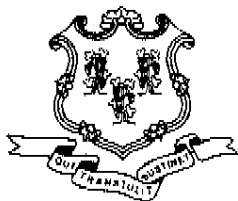
2. Under Connecticut's Coastal Management Act, (Connecticut General Statute, Title 22a, Chapter 444, Section 96), the Department of Environmental Protection is granted the authority to "represent the state in formal proceedings regarding "federal consistency" as defined in the federal act," and to "into written agreements with federal agencies concerning matters having an interest in or regulatory authority in the coastal area." Such matters are to "provide for cooperation and coordination in the implementation of state and federal programs with jurisdiction in the coastal area in a manner consistent with (the Coastal Management Act) Sections 22a-90 to 22a-96, inclusive." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under the Coastal Management Act and the Connecticut Coastal Manual.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

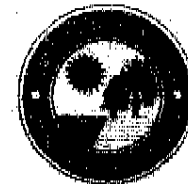
However, at this time, no significant impacts on Connecticut's coastal resources are anticipated.

The preferred alternatives, with mitigation, are consistent with the Coastal Management Act and would have no significant effects on beaches, dunes, shorelands, tidal wetlands, or archeological and paleontological resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Connecticut Coastal Management Program. The Connecticut Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



May 17, 2007

David Cottingham, Chief
Office of Protected Resources
Marine Mammal and Sea Turtle Conservation Division
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Re: Marine Mammal Health and Stranding Response Program; Consistency Concurrence

Dear Mr. Cottingham:

This is in response to your consistency determination, received on March 14, 2007, for the proposed Marine Mammal Health and Stranding Response Program (MMHSRP). That determination is required by Section 307(c)(1) of the Coastal Zone Management Act of 1972, as amended, Subpart C of 15 Code of Federal Regulations (CFR) Part 930, and Section II, Part VII(c) of the State of Connecticut Coastal Management Program and Final Environmental Impact Statement.

The proposed program would include issuance of the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release* as final guidance; issuance of a new Endangered Species Act (ESA)/Marine Mammal Protection Act (MMPA) permit to the MMHSRP; continuation of current response, rehabilitation, release, and research activities; and continuation of the John H. Prescott Marine Mammal Rescue Assistance Grant Program. This Department concurs with your determination that the proposed action is consistent to the maximum extent practicable with Connecticut's approved Coastal Management Program, pursuant to Section 22a-96(c) of the Connecticut General Statutes.

Any fisheries management plans that have a potential to affect the Connecticut coastal area, as well as any related Environmental Impact Statements and Regulatory Impact Reviews, should be sent to Mr. Brian P. Thompson, Director of the DEP Office of Long Island Sound Programs as early as possible in the established review period, after the final contents of the documents have been determined.

Yours truly,

A handwritten signature in black ink, appearing to read "Gina McCarthy".

Gina McCarthy
Commissioner

GM/TO/to

cc: Allison Castellan, OCRM
Edward Parker, CT DEP
David Simpson, CT DEP

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Delaware Department of Natural Resources and Environmental Control (DNREC), Division of Soil and Water Conservation, Coastal Zone Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Delaware's Coastal Zone Act (Delaware Code, Title 7, Chapter 70), DNREC is authorized to develop regulations regarding the development and use of Delaware's coastal zone. Under this authority, and pursuant to the CZMA, DNREC is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the Delaware Coastal Management Program. These policies include the Coastal Zone Act, the Beach Preservation Act, the Wetlands Act, and the Subaqueous Lands Act. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of these policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no significant impacts on Delaware's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with enforceable policies regarding

wetlands, beach and coastal waters management, subaqueous lands, and should present no foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Delaware Coastal Management Program. The Delaware Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DIVISION OF SOIL AND WATER CONSERVATION

89 KINGS HIGHWAY
DOVER, DELAWARE 19901

DELAWARE COASTAL
MANAGEMENT PROGRAM

TELEPHONE: (302) 739-9283
FAX: (302) 739-2048

May 10, 2007

David Cottingham
Marine Mammal and Sea Turtle Conservation Division
National Marine Fisheries Service
1315 East-West Highway
Room 13635
Silver Spring, MD 20910-3226

***RE: Delaware Coastal Management Federal Consistency Certification
Marine Mammal Health and Stranding Response Program Draft Programmatic Environmental
Impact Statement***

Dear Mr. Cottingham:

The Delaware Coastal Management Program (DCMP) has received and reviewed your consistency determination for the above referenced project. Based upon our review and pursuant to National Oceanic & Atmospheric Administration regulations (15 CFR 930), the DCMP concurs with your consistency determination for the Marine Mammal Health and Stranding Response Program Draft Programmatic Environmental Impact Statement. Our concurrence is based upon the restrictions and/or conditions placed on any and all permits issued to you for this project.

If you have any questions regarding this determination please do not hesitate to contact me or Tricia Arndt of my staff at (302) 739-9283.

Sincerely,

Sarah W. Cooksey, Administrator
Delaware Coastal Management Program

SWC/tka

cc: File 07.062
Roy Miller-DFW

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Florida Department of Environmental Protection, Office of Intergovernmental Programs, Coastal Zone Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Florida's Coastal Management Act (Title XXVIII, Chapter 380, Section 23), the Florida Department of Environmental Protection may review all "federal development projects and activities of federal agencies which significantly affect coastal waters and the adjacent shorelands of the state" to ensure that they "are conducted in accordance with the state's coastal management program." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under the 23 State Statutes that compose the Florida Coastal Management Plan.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division

However, at this time no significant impacts on Florida's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with state policies regarding wildlife, water resources, state parks and preserves, environmental control, and historical and archeological resources, and should not present any foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is

consistent to the maximum extent practicable with the enforceable policies of the Florida Coastal Management Program. The Florida Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

May 22, 2007

Mr. David Cottingham, Chief
Marine Mammal & Sea Turtle Conservation Division
NOAA/National Marine Fisheries Service
1315 East-West Highway, Room 13635
Silver Spring, MD 20910-3226

RE: National Marine Fisheries Service - Draft Programmatic Environmental Impact Statement (PEIS) for the Marine Mammal Health and Stranding Response Program (MMHSRP) - of Interest to the State of Florida.
SAI # FL200703133137C

Dear Mr. Cottingham:

The Florida State Clearinghouse, pursuant to Presidential Executive Order 12372, Gubernatorial Executive Order 95-359, the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended, and the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, has coordinated a review of the draft PEIS.

Based on the information contained in the document submitted and comments provided by the Florida Fish and Wildlife Conservation Commission, the state has determined that the proposed federal action is consistent with the Florida Coastal Management Program.

Thank you for the opportunity to review this proposal. Should you have any questions regarding this letter, please contact Ms. Lauren P. Milligan at (850) 245-2170.

Yours sincerely,

Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/lm

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides Georgia Department of Natural Resources, Coastal Resources Division with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Georgia's Coastal Management Act (Official Code of Georgia, Title 12, Chapter 5, Section 323), the Department of Natural Resources has the authority to "concur or object to a determination of consistency filed by a federal agency in connection with a federal activity based on the policies of the Georgia coastal management program...." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under the Georgia Coastal Management Program Document and all state laws subject to the Federal Consistency provisions of the CZMA.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no significant impacts on Georgia's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with state policies regarding coastal marshlands, tidelands, protected areas, shore protection, and historic areas, and should not present any foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Georgia Coastal Management Program. The Georgia Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

May 21, 2007



Mr. David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
NOAA/NMFS
1315 East West Highway
Silver Spring, Maryland 20910



RE: Consistency Determination for Marine Mammal Health and Stranding Response Program
Programmatic Environmental Impact Statement

Dear Mr. Cottingham:

Staff of the Coastal Management Program has reviewed your March 9, 2007 letter and attached Programmatic Environmental Impact Statement on the above referenced action. The current Endangered Species Act / Marine Mammal Protection Act permit expires June 30, 2007 and the EIS is required prior to issuance of a new permit.

The Program concurs with your consistency determination. This determination ensures that the proposed project has been designed to comply to the maximum extent practicable with the applicable enforceable policies of the Georgia Coastal Management Program.

Please feel free to contact Kelie Moore or me if we can be of further assistance.

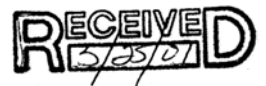
Sincerely,

A handwritten signature in cursive script that reads "Susan Shipman".

Susan Shipman
Director

SS/km

cc: DNR/WRD/Nongame



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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Hawaii Department of Business, Economic Development and Tourism, Office of Planning, Coastal Zone Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Hawaii's Coastal Zone Management Statute (Hawaii Revised Statutes, Chapter 205A, Section 3), the Department of Business, Economic Development and Tourism, Office of Planning is authorized to "review federal programs, federal permits, federal licenses, and federal development proposals for consistency with the coastal zone management program." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under Hawaii Revised Statutes, Chapter 205A, Section 2, Coastal Zone Management Program, Objectives and Policies.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no significant impacts on Hawaii's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with enforceable state policies regarding coastal ecosystems, beach protection, marine resources, and historic resources, and should present no foreseeable effects in these areas.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Hawaii Coastal Management Program. The Hawaii Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR
LAURA H. THIELEN
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Ref. No. P-11761

April 30, 2007

Mr. David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway, Room 13635
Silver Spring, Maryland 20910-3226

Dear Mr. Cottingham:

**Subject: Hawaii Coastal Zone Management (CZM) Program Federal Consistency
Review for Marine Mammal Health and Stranding Response Program**

The proposed actions and preferred alternatives associated with the Marine Mammal Health and Stranding Response Program (MMHSRP) have been reviewed for consistency with the Hawaii CZM Program. We concur with your determination that the activities coordinated and conducted by MMHSRP are consistent to the maximum extent practicable with the Hawaii CZM Program.

CZM consistency concurrence is not an endorsement of the project nor does it convey approval with any other regulations administered by any State or County agency. Thank you for your cooperation in complying with the Hawaii CZM Program. If you have any questions, please call John Nakagawa of our CZM Program at (808) 587-2878.

Sincerely,

Laura H. Thielen
Director

- c: U.S. National Marine Fisheries Service, Pacific Area Office
U.S. Fish and Wildlife Service, Pacific Islands Ecoregion
Dr. Jeffrey Walters, HIHWNMS, Department of Land and Natural Resources

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5/1/07

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Louisiana Department of Environmental Resource, Office of Coastal Restoration and Management, Coastal Management Division with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Louisiana's State and Local Coastal Resources Management Act (Louisiana Revised Statutes, Title 49, Section 214.32), "any governmental body undertaking, conducting, or supporting activities directly affecting the coastal zone shall ensure that such activities shall be consistent to the maximum extent practicable with the state program and any affected approved local program having geographical jurisdiction over the action." The PEIS will assess the impacts of the proposed alternatives on coastal resources in accordance with the policies enumerated in Louisiana Administrative Code (L.A.C.), Title 43, Chapter 7, Section 701, Guidelines Applicable to All Uses.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Louisiana's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the guidelines listed in 43 L.A.C 701 regarding beaches, barrier islands, wildlife and aquatic habitats, and historic and cultural resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Louisiana Coastal Management Program. The Louisiana Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

State of Louisiana



KATHLEEN BABINEAU BLANCO
GOVERNOR

SCOTT A. ANGELLE
SECRETARY

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL RESTORATION AND MANAGEMENT**

April 17, 2007

David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Springs, MD 20910

RE: **C20070156**, Coastal Zone Consistency
National Oceanic and Atmospheric Administration
Direct Federal Action
Draft Programmatic Environmental Impact Statement for the Marine Mammals Health
and Stranding Response Program, **Offshore Louisiana**.

Dear Mr. Cottingham:

The above referenced project has been reviewed for consistency with the approved Louisiana Coastal Resource Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. The project, as proposed in the application, is consistent with the LCRP. If you have any questions concerning this information request, please contact Agaha Brass of the Consistency Section at (225)342-9425 or 1-800-267-4019.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Rives".

Jim Rives
Acting Administrator

JR/JH/ayb

cc: Roy Crabtree, NMFS, St. Petersburg, FL
Heather Finley, LDWF

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Maine State Planning Office, Coastal Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Maine Revised Statute (Annotated) (M.R.S.A.), Title 38, Chapter 19, Section 1801, “state and local agencies and federal agencies with responsibility for regulating, planning, developing or managing coastal resources, shall conduct their activities affecting the coastal area consistent with the following policies....” The Statute then enumerates several enforceable policies that are further delineated by the federally-approved Maine Coastal Program. The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under 38 M.R.S.A. 1801 and the “Maine Guide to Federal Consistency Review.”

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Maine’s coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with policies pertaining, but not limited to, water quality, recreation and tourism, and marine resource management, and should present no

foreseeable effects in these areas.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Maine Coastal Program. The Maine Coastal Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Maryland Department of the Environment (MDE), Wetlands and Waterways Program, Coastal Zone Consistency Division with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Maryland Executive Order 01.01.1978.05 establishes the state's CZMP and grants the Maryland Department of Natural Resources the authority to administer the program. Under this authority, and pursuant to the CZMA, the MDE Coastal Zone Consistency Division is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the Maryland CZMP. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of the Maryland CZMP's Goals.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Maryland's coastal resources are anticipated. The preferred alternatives, with mitigation, support the Maryland CZMP's goals by protecting coastal land and water habitats and preserving historic and cultural resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Maryland CZMP. The MDE Coastal Zone Consistency Division has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Massachusetts Executive Office of Environmental Affairs, Office of Coastal Zone Management (CZM) with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. According to the Massachusetts Coastal Zone Management Program Federal Consistency Review Regulations (Code of Massachusetts Regulation, Title 301, Chapter 21, Section 6), CZM is responsible for “determining the consistency, to the maximum extent practicable, of federal activities in or affecting the Massachusetts Coastal Zone with CZM policies.” The PEIS will assess the impacts of the proposed alternatives on coastal resources with the enforceable policies that are enumerated in 301 CMR 21.98 and the federally-approved CZM Program Plan.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Massachusetts’ coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with CZM policies pertaining to water quality, habitat, and protected areas, and should not present any foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Massachusetts Coastal Management Program. The Massachusetts Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Mississippi Department of Marine Resources with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Mississippi Code, Title 57, Chapter 15, Section 6, the Mississippi Marine Resources Council (Council) is “directed to prepare and implement a coastal program.” Under this authority, and pursuant to the CZMA, the Council is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the Mississippi Coastal Program. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of the policies enumerated in Mississippi Code, Sections 39-7-3, 49-15-1, 49-17-3, 49-27-3 and 51-3-1.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division

However, at this time, no significant impacts on Mississippi’s coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the Mississippi Coastal Program’s policies in that it protects aquatic life, coastal wetlands, water quality, and historical and archeological resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Mississippi Coastal Program. The Mississippi Coastal Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



**MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES**

March 15, 2007

David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway, Room 13635
Silver Springs, MD 20910-3226

Subject: Proposed Draft PEIS
DMR File 070428

Dear Mr. Cottingham:

The State of Mississippi has completed its review of the consistency determination for the above-referenced proposed Draft Programmatic Environmental Impact Statement for the Marine Mammal Health and Stranding Response Program under the Coastal Zone Management Act of 1972 (as amended). The Department of Marine Resources, as the lead coastal program agency for the State of Mississippi pursuant to 16 U.S.C. Section 1456(c) and Section 57-15-5 of the Mississippi Code, concurs with the National Marine Fishery Service's consistency certification for this action. The actions described in the text of the proposed rule have been determined to be consistent to the maximum extent practicable with the Mississippi Coastal Program.

If you have any questions about this correspondence, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Willa Henriksen".

Willa Henriksen
Bureau Director, Wetlands Permitting

WJH/mfw

cc: MS Clearinghouse Officer

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the New Hampshire Department of Environmental Services (DES), Coastal Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. The DES currently administers the New Hampshire Coastal Program. As such, DES is responsible for ensuring that direct federal activities are conducted in a manner that is consistent to the maximum extent practicable with the state coastal management program. The PEIS will assess the impacts of the proposed alternatives on coastal resources in accordance with the enforceable policies delineated in the New Hampshire Coastal Program Final EIS.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on New Hampshire's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with policies pertaining coastal resources, recreation and public access, and historic and cultural resources, and should present no foreseeable effects in these areas.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is

consistent to the maximum extent practicable with the enforceable policies of the New Hampshire Coastal Program. The New Hampshire Coastal Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 16, 2007

David Cottingham, Chief
Marine Mammal & Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910-3226

RE: File No. 2007-09; Marine Mammal Health and Stranding Response Program Draft Programmatic Environmental Impact Statement

Dear Mr. Cottingham:

The New Hampshire Coastal Program (NHCP) has received the National Marine Fisheries Service's federal consistency determination for the Marine Mammal Health and Stranding Response Program Draft Programmatic Environmental Impact Statement (PEIS), pursuant to Section 307(c)(1) of the Coastal Zone Management Act, 16 U.S.C. § 1456(c)(1). After reviewing the draft PEIS, we find it to be consistent, to the maximum extent practicable, with the enforceable policies of the NHCP's federally approved coastal management program.

Should you have any questions, please feel free to contact me at (603) 559-0025.

Sincerely,

Christian P. Williams
Federal Consistency Coordinator
New Hampshire Coastal Program

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the New Jersey Department of Environmental Protection (DEP), Office of Policy, Planning and Science, Coastal Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under New Jersey's Coastal Zone Management Rules (NJ Administrative Code, Title 7, Chapter 7E, Section 1.2(e)), DEP has the authority to determine "the consistency or compatibility of proposed actions by Federal, State and local agencies within or affecting the coastal zone, including, but not limited to, determinations of Federal consistency under Section 307 of the Federal Coastal Zone Management Act...." The PEIS will assess the impacts of the proposed alternatives on coastal resources in accordance with the Coastal Zone Management Rules.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on New Jersey's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with New Jersey State law and consistent with the policies enumerated in the Coastal Zone Management Rules (NJAC 7:7E-1.5) in that they protect the health and safety of the public and protect and enhance the coastal ecosystem.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the New Jersey Coastal Management Program. The New Jersey Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the New York Department of State, Division of Coastal Resources with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under New York's Waterfront Revitalization and Coastal Resources Act (New York State Executive Law 42, Section 912), it is New York state policy to ensure consistency of federal actions with "policies of the coastal area and inland waterways, and with accepted waterfront revitalization programs of the area defined or addressed by such programs." The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of the policies described in Part II, Section 6 of the New York Coastal Management Program (CMP) document.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on New York's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with CMP policies regarding fish and wildlife, historic and scenic resources, water resources, and wetlands, and should not present any foreseeable effects on these resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the New York Coastal Management Program. The New York Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

ELIOT SPITZER
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ
SECRETARY OF STATE

May 21, 2007

Mr. David Cottingham
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Room 13635
Silver Spring, MD 20910-3226

Re: F-2006-0261 DA
NOAA / National Marine Fisheries Service
Marine Mammal Health and Stranding Response
Program
Concurrence with Consistency Determination

Dear Mr. Cottingham:

The Department of State has completed its review of the National Marine Fisheries Service's consistency determination regarding the consistency of the Marine Mammal Health and Stranding Response Program with the New York State Coastal Management Program.

Based upon the information submitted, the Department of State concurs with the National Marine Fisheries Service's consistency determination regarding this matter.

Sincerely,

Sally Ball
Deputy Director
Division of Coastal Resources

SEM/rm



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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the North Carolina Department of Environment and Natural Resources, Division of Coastal Management with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under North Carolina's Administrative Code, Title 15A, Chapter 7A, "the purpose of the Division of Coastal Management is to "provide staff support to the Secretary of Environment, (Health) and Natural Resources...in the administration of the Coastal Area Management Act of 1974 and North Carolina's participation in the Federal Coastal Zone Management Act of 1972." As such, the Division is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the North Carolina Coastal Management Program. The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of the Coastal Area Management Act (CAMA) (NC General Statute, Article 7, Chapter 113A, Sections 100-134.3).

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on North Carolina's coastal resources are anticipated. In accordance with CAMA policies on development and use of Estuarine and Ocean

Systems, the preferred alternatives, with mitigation conserve the biological, economic, and social values of coastal wetlands, estuarine waters, and public trust areas and would not cause major or irreversible damage to valuable archeological or historic resources

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the North Carolina Coastal Management Program. The North Carolina Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

William G. Ross Jr., Secretary

April 10, 2007

David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
National Marine Fisheries Service
Room 13635
1315 East-West Highway
Silver Spring, MD 20910-3226



SUBJECT: CD07-014 - Consistency Concurrence for the Proposed Marine Mammal Health and Stranding Response Program. (DCM#20070023)

Dear Mr. Cottingham:

The Division of Coastal Management received (March 12, 2007) a consistency determination from the National Marine Fisheries Service (NMFS) finding that the proposed implementation of the Marine Mammal Health and Stranding Response Program would be consistent with the State's coastal management program. North Carolina's coastal zone management program consists of, but is not limited to, the Coastal Area Management Act, the State's Dredge and Fill Law, Chapter 7 of Title 15A of North Carolina's Administrative Code, and the land use plan of the County and/or local municipality in which the proposed project is located. It is the objective of the Division of Coastal Management (DCM) to manage the State's coastal resources to ensure that proposed Federal activities would be compatible with safeguarding and perpetuating the biological, social, economic, and aesthetic values of the State's coastal waters.

To solicit public comments, DCM circulated a description of the proposed project to State agencies that would have a regulatory interest. No comments asserting that the proposed activity would be inconsistent with the State's coastal management program were received. A copy of each response received has been attached for reference.


DCM has reviewed the submitted information pursuant to the management objectives and enforceable policies of Subchapters 7H and 7M of Chapter 7 of Title 15A of North Carolina's Administrative Code which are a part of the State's certified coastal management program and concurs that the proposed Federal activity is consistent, to the maximum extent practicable, with the enforceable policies of North Carolina's coastal management program.

400 Commerce Avenue, Morehead City, North Carolina 28557-3421
Phone: 252-808-2808 \ FAX: 252-247-3330 \ Internet: www.nccoastalmanagement.net

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Should the proposed action be modified, a revised consistency determination could be necessary. This might take the form of either a supplemental consistency determination pursuant to 15 CFR 930.46, or a new consistency determination pursuant to 15 CFR 930.36. Likewise, if further project assessments reveal environmental effects not previously considered by the proposed action, a supplemental consistency certification may be required. If you have any questions, please contact Stephen Rynas at 252-808-2808. Thank you for your consideration of the North Carolina Coastal Management Program.

Sincerely,

A handwritten signature in blue ink that reads "Charles S. Jones". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Charles S. Jones

Mike Street, NC Division of Marine Fisheries
Steve Everhart, NC Wildlife Resources Commission



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

William G. Ross Jr., Secretary

MEMORANDUM

March 13, 2007

TO: Steve Everhart
Division of Inland Fisheries, Habitat Conservation Program
NC Wildlife Resources Commission
127 Cardinal Drive Extension
Wilmington, NC 28405-5406



FROM: Stephen Rynas, AICP: Federal Consistency Coordinator

SUBJECT: Proposed Implementation of a Marine Mammal Health and Stranding Response Program (DCM#20070023)

LOCATION: Offshore Coastal North Carolina

The above listed document is being circulated for consistency review and comment by **April 6, 2007**. Your responses will assist us in determining whether the proposed project would be consistent with the State's Coastal Management Program. If the proposed project does not conform to your requirements, please identify the measures that would be necessary to bring the proposed project into conformance. If you have any additional questions regarding the proposed project you may contact me at 252-808-2808.

REPLY

- No Comment.
- This office supports the project as proposed.
- Comments to this project are attached.
- This office objects to the project as proposed.

Signed: Steve Everhart

Date: 3/27/07

CORRECTIONS

Please identify any corrections, additions, or deletions that should be made in terms of contact information.

RETURN COMPLETED FORM

to
Stephen Rynas, Federal Consistency Coordinator
NC Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557-3421



North Carolina Department of Environment and Natural Resources
Division of Marine Fisheries

Michael F. Easley, Governor
William G. Ross Jr., Secretary

Dr. Louis B. Daniel III, Director

RECEIVED
APR 9 2007

Morehead City DCM

MEMORANDUM

RECEIVED
APR 9 2007

TO: Stephen Rynas
Federal Consistency Coordinator

Morehead City DCM

FROM: Mike Street *Learn Hardy for Mike Street*

DATE: April 5, 2007

SUBJECT: Proposed Implementation of a Marine Mammal Health and Stranding Response Program (DCM#20070023)

Attached is the Divisions' reply for the above referenced project. If you have any questions, please do not hesitate to contact me.

MS/jjh



RECEIVED

North Carolina Department of Environment and Natural Resources⁹ 2007

Division of Coastal Management

Michael F. Easley, Governor

Charles S. Jones, Director

Morehead City DCM
William G. Ross Jr., Director

MEMORANDUM

March 13, 2007

RECEIVED
APR 14 2007
DMF-HABITAT

TO: Mike Street
NCDENR - Division of Marine Fisheries
P.O. Box 769
Morehead City, NC 28557-0769

FROM: Stephen Rynas, AICP; Federal Consistency Coordinator

SUBJECT: Proposed Implementation of a Marine Mammal Health and Stranding Response Program
(DCM#20070023)

LOCATION: Offshore Coastal North Carolina

The above listed document is being circulated for consistency review and comment by **April 6, 2007**. Your responses will assist us in determining whether the proposed project would be consistent with the State's Coastal Management Program. If the proposed project does not conform to your requirements, please identify the measures that would be necessary to bring the proposed project into conformance. If you have any additional questions regarding the proposed project you may contact me at 252-808-2808.

REPLY

- No Comment.
- This office supports the project as proposed.
- Comments to this project are attached.
- This office objects to the project as proposed.

Signed: Stephens H. Munder

Date: 04/05/07

CORRECTIONS

Please identify any corrections, additions, or deletions that should be made in terms of contact information.

RETURN COMPLETED FORM

to
Stephen Rynas, Federal Consistency Coordinator
NC Division of Coastal Management
400 Commerce Avenue
Morehead City, NC 28557-3421

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Oregon Department of Land Conservation and Development (DLCD), Coastal Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Oregon Revised Statute 196, Section 435, the DLCD is the “designated Coastal Management Agency for purposes of carrying out and responding to the Coastal Zone Management Act of 1972.” As such, under the provisions of Oregon Administrative Code 660, Division 35, Section 20, “all consistency determinations, consistency certifications and proposals for federal assistance shall be sent to and reviewed by (DLCD) for consistency with the approved Oregon Coastal Management Program.” The PEIS will assess the impacts of the proposed alternatives on coastal resources in accordance with the Statewide Planning Goals (Goals 16-19) that comprise the Oregon Coastal Management Program.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Oregon’s ocean and coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with Goal 16 (Estuarine Resources) and 17 (Coastal Shorelands) in that it is a use that maintains the integrity of estuarine

and coastal waters. It is consistent with Goals 18 (Beaches and Dunes) and 19 (Ocean Resources) in that it protects beaches and dunes and encourages the beneficial uses of ocean resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Oregon Coastal Management Program. The Oregon Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Pennsylvania Department of Environmental Protection (DEP), Water Planning Office with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Pennsylvania Code Title 4 Chapter 1 Subchapter EE, the Pennsylvania DEP is designated as the lead agency for implementing and administering the Federal Coastal Zone Management Program for the Commonwealth of Pennsylvania. The PEIS will assess the impacts of the proposed alternatives on coastal resources of Pennsylvania.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time no impacts on Pennsylvania's coastal resources are anticipated from the preferred alternatives (with mitigation). Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of Pennsylvania's approved coastal management program that are provided in the Chapters 2 and 4 and Appendix A of the Commonwealth of Pennsylvania's Coastal Zone Program Guidance Document. The Pennsylvania DEP has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information

in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
May 2, 2007

Water Planning Office

717-772-5622

Mr. David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Silver Spring, MD 20910-3226

Re: DEP File No. CZ7:FDP

Dear Mr. Cottingham:

The Pennsylvania Coastal Resources Management (CRM) Program has reviewed information received in this office on March 9, 2007, concerning the proposed project titled "**Draft Programmatic Environmental Impact Statement for the Marine Mammal Health and Stranding Response Program**".

We concur with your determination that this federal action is consistent with Pennsylvania's CRM Program.

Sincerely,

Lawrence J. Toth
Environmental Planner
Coastal Resources Management Program



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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Rhode Island Coastal Resources Management Council (CRMC) with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Rhode Island's Coastal Resources Management Act (Rhode Island General Law [RIGL], Title 46, Chapter 23, Section 1), the CRMC is directed to "exercise effectively its responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone." Under this authority, and pursuant to the CZMA, the CRMC is responsible for ensuring that Federal activities in the coastal zone are consistent to the maximum extent possible with the enforceable policies of the Rhode Island Coastal Resources Management Program (CRMP). The PEIS will assess the impacts of the proposed alternatives on coastal resources within the context of the policies enumerated in the Coastal Resource Management Act and the CRMP.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Rhode Island's coastal resources are anticipated.

In accordance with RIGL 46-23-6(B)(2), the preferred alternatives, with mitigation, do not, conflict with any resource management plan or program; make any area unsuitable for any uses or activities to which it is allocated by a resource management plan; or significantly damage the environment of the coastal region.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Rhode Island CRMP. The Rhode Island CRMC has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

March 14, 2007

Mr. David Cottingham
Chief, Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

RE: CRMC File No. 2007-03-037.

Dear Sirs:

In accordance with Title 15 of the Code of Federal Regulations, Part 930, Subpart C (Consistency for Federal Activities) and review of plans entitled:

Marine Mammal Health and Stranding Response Program programmatic Environmental Impact Statement,

The Coastal Resources Management Council hereby concurs with the determination that the referenced project is consistent with the federally approved Rhode Island Coastal Resources Management Program and applicable regulations therein.

Please contact this office at (401) 783-3370 should you have any questions.

Sincerely,


Grover J. Fugate, Executive Director
Coastal Resources Management Council

/lam

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (OCRM) with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under South Carolina's Coastal Zone Management Act (S.C. Code of Laws, Title 48, Chapter 39, Section 80), the State Coastal Management Program "shall provide for consideration of whether a proposed activity of any applicant for a federal license or permit complies with the State's coastal zone program and for the issuance of notice to any concerned federal agency as to whether the State concurs with or objects to the proposed activity." The PEIS will assess the impacts of the proposed alternatives on coastal resources that are provided under South Carolina's Coastal Zone Management Act.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on South Carolina's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the State Coastal Zone Management Act policies regarding barrier islands, dunes, wetlands, natural areas, marine and estuarine sanctuaries, and cultural resources.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the South Carolina Coastal Management Program. The OCRM has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

April 28, 2007

DAVID COTTINGHAM
UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL MARINE FISHERIES SERVICE
SILVER SPRING MD 20910

Re: Marine Mammal Health & Stranding
CHARLESTON County
Federal Consistency - 58030

Dear Mr. Cottingham:

The staff of the Office of Ocean and Coastal Resource Management (OCRM) certifies that the above referenced project is consistent with the S.C. Coastal Zone Management Program provided that (1) no freshwater wetlands are disturbed or altered and that (2) all necessary erosion and sediment control practices are maintained until the entire site is stabilized. This certification shall serve as the final approval for the referenced permit only, by OCRM.

Sincerely,

BARBARA NEALE

Regulatory Programs Division

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Ocean and Coastal Resource Management

Charleston Office · 1362 McMillan Avenue, Suite 400 · Charleston, SC 29405

Phone: 843-953-0200 · Fax: 843-953-0201 · www.scdhec.gov

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Texas General Land Office, Coastal Resources Program with the with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Texas' Natural Resource Code, Section 33.053, the Texas Coastal Management Program (CMP) includes a procedure for "determining the consistency of a federal action or activity with the goals and policies of the coastal management program." The PEIS will assess the impacts of the proposed alternatives on coastal resources in the context of the goals and policies detailed in the Texas Coastal Management Program Final EIS. These goals and policies are enforceable under Texas Administrative Code (TAC), Title 31, Chapter 501.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Texas' coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the policies enumerated in 31 TAC §501.20.

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Texas Coastal Management Program. The Texas Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.

**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Virginia Department of Environmental Quality, Office of Environmental Impact Review with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted under the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under the Code of Virginia, Title 10, Chapter 1, Section 1183, the Department of Environmental Quality has the authority to “coordinate state reviews with federal agencies on environmental issues, such as environmental impact statements.” Under Executive Order Thirty-Three, this authority extends to ensuring that federal programs and activities are carried out in a manner that is consistent with the federally-approved Virginia Coastal Management Program. The PEIS will assess the impacts of the proposed alternatives on coastal resources.

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Virginia’s coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with policies regarding wetlands, dunes, coastal lands, and historical sites. Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program. The Virginia Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR

930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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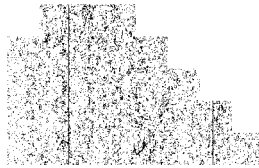
L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

May 1, 2007

Mr. David Cottingham
Chief, Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Room 13635
Silver Spring, Maryland 20910



RE: Marine Mammal Health and Stranding Response Program,
Federal Consistency Determination and Draft Programmatic
Environmental Impact Statement
DEQ-07-043F



Dear Mr. Cottingham:

The Commonwealth of Virginia has completed its review of the above-listed Draft Programmatic Environmental Impact Statement (Draft PEIS) and federal consistency determination. The Department of Environmental Quality ("DEQ") is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act ("NEPA") and responding to appropriate federal officials on behalf of the Commonwealth. DEQ is also responsible for coordinating Virginia's review of federal consistency determinations submitted pursuant to the Coastal Zone Management Act and providing the state's response to same. The following state agencies and regional planning district commission joined in this review:

Department of Environmental Quality
Department of Game and Inland Fisheries
Department of Conservation and Recreation
Marine Resources Commission
Hampton Roads Planning District Commission.

In addition, the Virginia Institute of Marine Science and the Accomack-Northampton Planning District Commission were invited to comment.

Description of Action

The National Marine Fisheries Service (NMFS) was charged by a 1992 amendment to the Marine Mammal Protection Act of 1972 to develop a marine mammal health and stranding response program aimed at facilitating the exchange of data on the health of marine mammals in the wild, correlating that health with available data on environmental and other conditions, and coordinating effective responses to unusual mortality events. In pursuit of these goals, NMFS proposes a program of four components:

- a) Issuance of a Policies and Best Practices guidance document;
- b) Issuance of a new 5-year permit under the Endangered Species Act and the Marine Mammal Protection Act to the program, covering anticipated future activities including disentangling, monitoring, and import and export of tissue samples;
- c) Continuation of current operations, including response, rehabilitation, release, and research; and
- d) Continuation of the Prescott Grant program, which provides funding to standing network members (including, in Virginia, the Virginia Institute of Marine Science and the Virginia Aquarium and Marine Science Center).

(Draft PEIS, pages ES-1 and ES-2, section ES.1.)

The Draft PEIS considers a number of alternative ways to address each of the six topics addressed by the program. The topics are:

- Stranding agreements and response
- Carcass disposal
- Rehabilitation activities
- Release activities
- Disentanglement
- Bio-monitoring and research activities

(Draft PEIS, pages ES-3 and ES-4; see also Chapter 2.)

Federal consistency determinations for coastal states, including Virginia, appear within Appendix B, "Agency Coordination and Consultation" in Volume 2 of the Draft PEIS.

Environmental Impacts and Mitigation

1. Waste Management. By assuming control of the carcass of a marine mammal, the marine mammal stranding teams may be subject to the

requirement to properly manage the carcass under the Virginia Solid Waste Management Regulations. These require the disposal of animal remains at a permitted solid waste management facility. DEQ recognizes, however, that movement of large carcasses to a permitted waste facility would be difficult, expensive, and possibly more destructive to the coastal environment than burial in place. Moreover, leaving the carcass to naturally decompose would also have multiple negative effects.

2. Wildlife Resources. The Department of Game and Inland Fisheries, as the Commonwealth's wildlife and freshwater fish management agency, exercises enforcement and regulatory jurisdiction over wildlife and freshwater fish, including state or federally listed endangered or threatened species, but excluding listed insects. The Department (hereinafter "DGIF") is a consulting agency under the U.S. Fish and Wildlife Coordination Act (16 U.S.C. sections 661 *et seq.*), and provides environmental analysis of projects or permit applications coordinated through the Department of Environmental Quality and several other state and federal agencies. DGIF determines likely impacts upon fish and wildlife resources and habitat, and recommends appropriate measures to avoid, reduce, or compensate for those impacts.

According to the Department of Game and Inland Fisheries (DGIF), the preferred alternatives appear reasonable.

(a) Rehabilitation Activities. The Draft PEIS places considerable emphasis on rehabilitation activities. It should be noted that marine mammals are notoriously difficult to maintain in captivity; success in their treatment, rehabilitation, and release requires considerable staff and resources. Moreover, treating and releasing animals that are compromised, or otherwise genetically unfit to survive (e.g., a starving pinniped full of worms) without human intervention, may not be in the best interests of the population at large. NMFS's program should include criteria that clearly identify high-priority species (such as threatened or endangered species, or species of high conservation concern) that qualify for some measures of human intervention. The criteria should also address the sources of debilitation that are appropriate to treat (i.e., human-induced versus natural).

(b) Marine Mammal Carcass Disposal. The Draft EIS recommends the transport of all chemically euthanized carcasses off site (page 2-5, section 2.1.2.2). The premise behind this recommendation (Draft EIS, page 2-4, section 2.1.2.1) is valid, and in most cases the recommendation can be followed. However, in cases involving large whales or mass strandings, removal to off-site locations may not be feasible. Allowances should be made, therefore, for on-site

disposal when it becomes logistically impossible to remove chemically euthanized animal carcasses from the beach.

3. *Regional Comments.* The Hampton Roads Planning District Commission, which represents the Virginia localities south of Hampton Roads, indicates that the proposed action is generally consistent with local and regional plans and policies.

Federal Consistency under the Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities located inside or outside of Virginia's designated coastal management area that can have reasonably foreseeable effects on coastal resources or coastal uses must, to the maximum extent practicable, be implemented in a manner consistent with the Virginia Coastal Resources Management Program (VCP). The VCP consists of a network of programs administered by several agencies. The DEQ coordinates the review of federal consistency determinations with agencies administering the Enforceable and Advisory Policies of the VCP.

DEQ published a public notice of this review from March 26, 2007 through April 19, 2007. No comments were received from the public.

Based on the information submitted and the comments of reviewing agencies, we concur that the proposed program elements are consistent with the Virginia Coastal Resources Management Program, provided that NMFS complies with all applicable requirements, and that no effort is made to dispose of carcasses in wetlands (see item 3, below).

1. *Fisheries Management.* The Department of Game and Inland Fisheries finds that implementation of the program is likely to have beneficial impacts on wildlife resources. The program will not adversely affect threatened, endangered, or critical wildlife resources under the Department's jurisdiction. The Department finds the program to be consistent with the fisheries management enforceable policy of the Virginia Coastal Resources Management Program.

2. *Subaqueous Lands Management.* The Marine Resources Commission requires a permit for any activities that encroach upon, or over, or take materials from the beds of the bays, ocean, rivers, streams, and creeks which are the property of the Commonwealth. If any such activities are contemplated, application for and issuance of a permit from the Commission will ensure that the

permitted activity is consistent with the subaqueous lands management enforceable policy of the Virginia Coastal Resources Management Program.

3. Wetlands Management. As DEQ's Tidewater Office and its Virginia Water Protection Permit Program Office indicate, any carcass disposal activities involving excavation in wetlands would be regulated under state law. Because of the time frame of the wetland permitting process (120 days from a complete application to permit issuance), it is unrealistic to expect that such activity could be appropriately permitted. For this reason, any land-based carcass disposal should be undertaken outside of wetland areas.

If wetland areas were to be proposed for use in this regard, a Virginia Water Protection Permit (VWPP) would be required for excavation or any other impacts in wetlands. VWPP regulations allow wetland impacts to be permitted only if the proposal is the least environmentally damaging practicable alternative. In this case, it appears that there may be alternatives to wetland disposal that are more practicable and less damaging to wetlands:

- disposal on-site at the beach;
- offshore disposal; or
- disposal at an approved solid waste facility

For these reasons, it would be difficult to obtain a VWP permit for this activity.

4. Coastal Lands Management. According to the Department of Conservation and Recreation's Division of Chesapeake Bay Local Assistance (Division), which administers the Chesapeake Bay Preservation Act (*Virginia Code sections 10-1-2100 et seq.*), addressing the stranding of marine mammals is assumed to be an emergency situation requiring temporary land disturbance. This particular activity is neither allowed nor disallowed in Chesapeake Bay Preservation Areas (Resource Protection Areas and Resource Management Areas). However, should it be required, any land-disturbing activity should be minimized, and access through the Chesapeake Bay Preservation Areas should be restricted to one point. Some explanation follows (Baird/Ellis, 4/30/07).

(a) Definitions. The Chesapeake Bay Preservation Act and the Chesapeake Bay Preservation Area Designation and Management Regulations implementing the Act (9 VAC 10-20-10 *et seq.*) set out a state and local government program defining two types of Chesapeake Bay Preservation Areas and setting out requirements for activities in each of them. The more restrictive designation, "Resource Protection Areas," is likely to apply to shorelines where stranding or proposed disposal might take place. Resource Protection Areas (RPAs), as defined in the Regulations (9 VAC 10-20-40) include the following:

- tidal wetlands;
- non-tidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;
- tidal shores; and
- a 100-foot buffer adjacent to and landward of the aforementioned features, and along both sides of any water body with perennial flow.

(b) General Performance Criteria. Resource Management Areas (the less restrictive, locally defined designation) and Resource Protection Areas are subject to general performance criteria, which include the following (see 9 VAC 10-20-120):

- minimizing land disturbance;
- preserving indigenous vegetation;
- minimizing impervious surfaces;
- controlling stormwater runoff quality; and
- developing Erosion and Sediment Control Plans for land disturbances greater than or equal to 2,500 square feet.

Regulatory and Coordination Needs

1. Subaqueous Lands Management. Any program activities affecting state-owned subaqueous lands may require a permit from the Marine Resources Commission. Questions on applicability and fulfillment of this requirement may be directed to the Commission (George Badger, telephone (757) 247-2200).

2. Marine Mammal Conservation. NMFS is encouraged to consult with the Department of Game and Inland Fisheries (Ruth Boettcher, telephone (757) 787-5911) as it implements proposed management actions.

3. Local Coordination. NMFS is encouraged to contact appropriate local authorities in implementing proposed management actions.

Thank you for the opportunity to review this Draft PEIS and federal consistency determination. If you have questions, please feel free to call

Mr. David Cottingham
Page 7

me (telephone (804) 698-4325) or Charles Ellis of this Office (telephone (804) 698-4488).

Sincerely,



Ellie L. Irons
Program Manager
Office of Environmental Impact Review

Enclosures

cc: Andrew K. Zadnik, DGIF
Ruth Boettcher, DGIF
Michelle R. Hollis, DEQ-TRO
Michelle Henicheck, DEQ-VWP
George H. Badger III, MRC
David L. O'Brien, VIMS
Alice R. T. Baird, DCR-DCBLA
Arthur L. Collins, Hampton Roads PDC
Paul F. Berge, Accomack-Northampton PDC

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Ellis, Charles

From: Zadnik, Andrew (DGIF)
Sent: Thursday, March 22, 2007 2:57 PM
To: Ellis, Charles; Ruth Boettcher
Cc: ProjectReview (E-mail); ProjectReview@dgif.virginia.gov
Subject: 07-043F_ESS 21907_Marine Mammal Health and Stranding ResponseProgram

This project involves activities associated with the National Marine Fisheries Service's Marine Mammal Health and Stranding Response Program. The proposed actions include:

1. Issuance of the Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release as final guidance.
2. Issuance of a new Endangered Species Act (ESA)/MMPA permit to the MMHSRP. The new permit would include current and future response activities for endangered species, disentanglement activities, biomonitoring projects, and import and export of marine mammal tissue samples.
3. Continuation of current MMHSRP operations, including response, rehabilitation, release, and research activities, with renewal and authorization of Stranding Agreements (SAs) and Scientific Research Authorizations and other NMFS activities.
4. Continuation of the Prescott Grant Program, which provides funding to stranding network members. The two network members in Virginia are the Virginia Aquarium and Marine Science Center and the Virginia Institute of Marine Science, College of William and Mary.

We do not anticipate a significant adverse impact upon threatened, endangered, or critical wildlife resources under our jurisdiction to occur due to this project. Implementation of the preferred alternatives should result in overall beneficial impacts upon wildlife resources. To assist in implementing the proposed actions, we recommend that the NMFS coordinate with the primary VDGIF biologist responsible for marine mammal conservation, Ruth Boettcher (757-787-5911).

We find this project consistent with the Fisheries Section of the Virginia Coastal Resources Management Program.

Thank you,

Andrew Zadnik

Ruth,

If you have any questions or comments about this, please let me and/or Charlie know by April 19. NMFS is interested in any comments we might have regarding the sorts of activities in response to stranded marine mammals or disease outbreaks should be conducted nationwide, how the national stranding network should be organized at the local, state, regional, ecosystem, and national levels, and what the minimum qualifications should be for an individual or group to become a Stranding Agreement holder.

Sorry I went ahead and sent comments to DEQ, but I will be going on 2 weeks of paternity leave starting any day now, and I want to make sure our comments get to DEQ.

Thanks
Andy

Andrew K. Zadnik
Environmental Services Section Biologist
Department of Game and Inland Fisheries
4010 West Broad Street
Richmond, VA 23230

(804) 367-2733

Comments on NMFS Marine mammal Health and Stranding Response Program EIS

Ruth Boettcher, VDGIF

4/16/07

Overall, the preferred alternatives outlined in the document are reasonable and prudent and I agree with all of them in the context of this EIS. However, I do have some concern over the considerable emphasis that is place on rehabilitation activities. Marine mammals are notoriously difficult to maintain in captivity and require considerable staff and resources to successfully treat, rehabilitate and release. Moreover, treating and releasing animals that are compromised or otherwise genetically unfit to survive (e.g., a starving pinniped full of worms) without human intervention, may not be in the best interest of the population at large. The plan should include criteria that clearly identify high priority species (e.g., T/E species or species of high conservation concern) that qualify for some measure of human intervention *and* the sources of debilitation which are appropriate to treat (e.g., human-induced versus natural).

I also have a minor concern regarding the preferred alternative under Marine Mammal Carcass Disposal (2.1.2.2) which recommends the transport of all chemically euthanized carcasses off site. The premise behind this recommendation is valid and in most cases can be followed. However, cases involving large whales or mass strandings, this may not be feasible. As such, allowances should be made for on site disposal when it becomes logistically impossible to remove chemically euthanized animals carcasses from the beach.

Ellis, Charles

From: Henicheck, Michelle
Sent: Friday, April 13, 2007 4:06 PM
To: Ellis, Charles
Cc: Davis, David
Subject: Marine Mammal Health and Stranding Response Program

Charlie,

I have reviewed the documents provided to me today regarding the above referenced program. Central Office concurs with the Tidewater comments regarding disposal of the dead marine life. DEQ would require a VWP permit for excavation in, or other impacts to wetlands to dispose of marine life. VWPP Program regulations allow wetland impacts to be permitted only if the proposal is the least environmentally damaging, practicable alternative. It appears that other, more practicable alternatives may exist that would not impact wetlands, such as disposal on-site at the beach, off-shore disposal, or disposal at an approved solid waste facility, therefore, it may be extremely difficult to obtain a VWP permit. In addition, an individual VWP permit has a 120-day processing time and would not meet the time constraints that appear to be needed for disposal of a decomposing carcass.

Michelle Henicheck, PWS
Dept. of Environmental Quality
Environmental Specialist II
Phone: 804-698-4007
Fax: 804-698-4347
mmhenicheck@deq.virginia.gov
*NEW mailing address:
P.O. Box 1105
Richmond, VA 23218

4/13/2007



DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

April 4, 2007

PROJECT NUMBER: 07-043F

PROJECT TITLE: Marine Mammal Health and Stranding Response Program

As Requested, TRO staff has reviewed the supplied information and has the following comments:

Petroleum Storage Tank Cleanups:

No objections or concerns.

Petroleum Storage Tank Compliance/Inspections:

No objections or concerns.

Virginia Water Protection Permit Program (VWPP):

We have reviewed this document from our programmatic perspective and note that the location and methods of disposal will be based on the facts surrounding unpredictable individual stranding events. Any carcass disposal activities that would involve excavation in wetlands would be regulated under state law. Given the time constraints associated with the permit process (120 days from a complete application), it is unrealistic to expect that such activity could be appropriately permitted. As such, any land based carcass disposal should be undertaken outside of wetland areas.

Air Permit Program :

No comments.

Water Permit Program :

The TRO Water Permit Section has no comment on the document content as there is no activity described here that requires a water permit or is impacted by DEQ water pollution regulations to the best of my knowledge. However, it may be important to note that in general this project extends beyond the Tidewater region and may best be reviewed on a programmatic basis by personnel within the Central Office.

Waste Permit Program :

By assuming control of the carcass, the marine mammal stranding teams may be subject to the requirement to properly manage the carcass in accordance with the Virginia Solid Waste Management Regulations (VSWMR). Currently, the VSWMR requires the disposal of animal remains at a permitted solid waste management facility. However, it is realized that the movement of the large carcasses to a permitted facility would be difficult, expensive, and possibly more destructive to the coastal environment than burial in place and that leaving the carcass to naturally decompose would also have multiple negative effects. Because the proposal extends beyond the boundaries of the Tidewater Region and a possible variance may be required to continue to bury the carcasses on site it is recommended further discussions be conducted with DEQ staff at both the region and central office concerning the management and disposal of the carcasses.



DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
ENVIRONMENTAL IMPACT REVIEW COMMENTS

April 4, 2007

PROJECT NUMBER: 07-043F

PROJECT TITLE: Marine Mammal Health and Stranding Response Program

The staff from the Tidewater Regional Office thanks you for the opportunity to provide comments.

Sincerely,

Michelle R. Hollis
Environmental Specialist
5636 Southern Blvd.
VA Beach, VA 23462
(757) 518-2146
(757) 518-2009 Fax
mrhollis@deq.virginia.gov



COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

Marine Resources Commission

2600 Washington Avenue
Third Floor
Newport News, Virginia 23607

Steven G. Bowman
Commissioner

March 23, 2007

Mr. Charles H. Ellis III
c/o Department of Environmental Quality
Office of the Environmental Impact Review
629 East Main Street, Sixth Floor
Richmond, Virginia 23219

Re: 07-043F, "Marine Mammal Health Program"

Dear Mr. Ellis:

You have inquired regarding the permitting requirements for *Developing the Marine Mammal Health & Standing Response Program*. The goal is to promote sound stewardship and improve the effectiveness of the National System.

The Marine Resources Commission requires a permit for any activities that encroach upon or over, or take use of materials from the beds of the bays, ocean, rivers and streams, or creeks, which are the property of the Commonwealth.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

A handwritten signature in black ink, appearing to be 'GHB', written over a horizontal line.

George H. Badger, III
Environmental Engineer

An Agency of the Natural Resources Secretariat

Web Address: www.mrc.virginia.gov

Telephone: (757) 247-2200, (757) 247-2200 V/FDD, Information and Environmental Media: 1-800-541-4646 V/FDD



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Jeanne Zeidler, *Mayor*

YORK COUNTY

James O. McReynolds, *County Administrator*
Thomas G. Shepperd, Jr., *Board Member*

April 19, 2007

Mr. Charles H. Ellis III
Department of Environmental Quality
Office of Environmental Impact Review
629 West Main Street, Sixth Floor
Richmond, VA 23219

Re: Marine Mammal Health and Stranding Response Program
#07-043F (ENV:GEN)


Dear Mr. Ellis:

Pursuant to your request of March 14, 2007, the staff of the Hampton Roads Planning District Commission has reviewed the Draft Programmatic Environmental Impact Statement and Consistency Determination for the Marine Mammal Health and Stranding Response Program.

Based on this review, the proposal is generally consistent with local and regional plans and policies.

We appreciate the opportunity to review this project. If you have any questions, please do not hesitate to call.

Sincerely,


Arthur L. Collins
Executive Director/Secretary

MLJ/kg

RECEIVED

APR 2 2007

DEQ-Office of Environmental
Impact Review

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**NATIONAL MARINE FISHERIES SERVICE
COASTAL ZONE MANAGEMENT ACT
CONSISTENCY DETERMINATION**

This document provides the Washington Department of Ecology, Coastal Management Program with the National Marine Fisheries Service (NMFS) Consistency Determination under the Coastal Zone Management Act (CZMA) (16 U.S.C. 1451 et seq.) and 15 CFR Part 930, subpart C, for activities coordinated and conducted by the Marine Mammal Health and Stranding Response Program (MMHSRP).

Necessary Data and Information:

1. NMFS is announcing the availability of a draft Programmatic Environmental Impact Statement (PEIS) for the MMHSRP. Some activities of the MMHSRP are conducted under a permit issued under the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361-1421) and Section 10(a)(1)(A) of the Endangered Species Act (ESA) (16 U.S.C. 1531-1544) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The current ESA/MMPA permit expires on June 30, 2007. A National Environmental Policy Act (NEPA) analysis of the current and future activities covered under the permit must be completed prior to the issuance of a new permit. The potential impacts of the permitted activities as well as the day-to-day operations of the MMHSRP are analyzed in the draft PEIS. Day-to-day operations include the coordination and oversight of the National Marine Mammal Stranding and Disentanglement Networks, the National Marine Mammal Tissue Bank, the Working Group on Unusual Marine Mammal Mortality Events, and the John H. Prescott Marine Mammal Rescue Assistance Grant Program.

NMFS has also developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them as final guidance after the NEPA analysis is concluded. The PEIS is intended to satisfy the requirements of NEPA and implementing regulations for all pertinent agency actions.

2. Under Washington Administrative Code, Title 173, Chapter 27, Section 060, "Direct federal actions and projects (within the coastal counties) shall be consistent to the maximum extent practicable with the approved Washington state coastal zone management program." The PEIS will assess the impacts of the proposed alternatives on coastal resources in the context of the Washington Coastal Program's enforceable policies, including the Shoreline Management Act (Chapter 90.58 Revised Code of Washington [RCW]) and Ocean Resources Management Act (Chapter 43.143 RCW)

3. Informal consultation has been initiated with NMFS Office of Protected Resources and the U.S. Fish and Wildlife Service to explore potential impacts to species protected under the ESA and the MMPA. A permit application for the MMHSRP activities involving ESA and MMPA species is currently being evaluated by the NMFS Office of Protected Resources Permits, Conservation and Education Division.

However, at this time, no significant impacts on Washington's coastal resources are anticipated. The preferred alternatives, with mitigation, are consistent with the Shoreline Management Act, the Ocean Resources Management Act, and the State Environmental Policy Act (Chapter 43.21C RCW).

Based upon the preceding information, data and analysis, NMFS finds that the MMHSRP is consistent to the maximum extent practicable with the enforceable policies of the Washington Coastal Management Program. The Washington Coastal Management Program has 60 days (plus any appropriate extension under 15 CFR 930.41(b)) from the receipt of this letter and accompanying information in which to concur with or object to the NMFS Consistency Determination. Concurrence will be presumed if the State's response is not received by NMFS on the 60th day from receipt of this Determination.



Connecticut Commission on Culture & Tourism

March 16, 2007

Historic Preservation
& Museum Division

59 South Prospect Street
Hartford, Connecticut
06106

(v) 860.566.3005
(f) 860.566.5078

Mr. David Cottingham
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources, National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

Subject: Marine Mammal Health and Stranding Response Program

Dear Mr. Cottingham:

The State Historic Preservation Office has reviewed the *Draft Programmatic Environmental Impact Statement for the Marine Mammal Health and Stranding Response Program* prepared by the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Office of Protected Resources. This office expects that the proposed actions will have no adverse effect on Connecticut's coastal and maritime heritage. This comment is conditional upon our understanding that the National Oceanic and Atmospheric Administration shall consult with our professional staff with respect to actual field implementation of appropriate case-by-case actions.

This office appreciates the opportunity to have reviewed and commented upon the proposed undertaking.

This comment is provided in accordance with the National Historic Preservation Act and the Connecticut Environmental Policy Act.

For further information, please contact Dr. David A. Poirier, Staff Archaeologist.

Sincerely,

Karen Senich
Deputy State Historic Preservation Officer

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FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

May 4, 2007

Mr. David Cottingham
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

RE: DHR Project File No: 2007-2045/Received by DHR: March 12, 2007
National Oceanic and Atmospheric Administration (NOAA)
Draft Programmatic Environmental Impact Statement for the Marine Mammal Health and
Stranding Response Program
All Florida

Dear Mr. Cottingham:

This office received and reviewed the above referenced Environmental Impact Statement in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended and *36 CFR Part 800: Protection of Historic Properties* and the *National Environmental Policy Act of 1969*, as amended. The State Historic Preservation Officer is to advise Federal agencies as they identify historic properties (listed or eligible for listing in the *National Register of Historic Places*), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

This submission was well designed. Based on the information provided, this office concurs with NOAA that the above referenced federal plan (or action) will have only a minor adverse impact on historic properties. As a result, NOAA needs to make contingency plans in the case of fortuitous finds or unexpected discoveries during ground disturbing activities on the particular property. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with early Native American, early European, or American settlement are encountered at any time within the project site area, the applicant shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 once rescue or carcass removal activities are finished. Non emergency project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6436

Archaeological Research
(850) 245-6444 • FAX: 245-6452

Historic Preservation
(850) 245-6333 • FAX: 245-6437

Historical Museums
(850) 245-6400 • FAX: 245-6433

Southeast Regional Office
(561) 416-2115 • FAX: 416-2149

Northeast Regional Office
(904) 825-5045 • FAX: 825-5044

Central Florida Regional Office
(813) 272-3843 • FAX: 272-2340

Mr. Cottingham
May 4, 2007
Page 2

If you have any questions, please contact James Toner, Historic Sites Specialist, by electronic mail at jetoner@dos.state.fl.us, or at 850-245-6333.

Sincerely,

A handwritten signature in black ink that reads "Frederick P. Gaske". The signature is written in a cursive style with a long horizontal line extending to the right.

Frederick P. Gaske, Director, and
State Historic Preservation Officer



April 3, 2007

Mr. David Cottingham, Chief
Marine Mammal and Sea Turtle Conservation Division
Office of Protected Resources
National Marine Fisheries Service
National Oceanic
and Atmospheric Administration
3115 East-West Highway
Silver Spring, Maryland 20910

**SHPO: 03-19-07-03 NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION DRAFT PROGRAMMATIC ENVIRONMENTAL
IMPACT STATEMENT FOR THE MARINE MAMMAL HEALTH AND
STRANDING RESPONSE PROGRAM, ISLANDWIDE, PUERTO RICO**

Dear Mr. Cottingham:

Our Office received correspondence on March 19, 2007 regarding the above referenced project. We have reviewed the Draft Programmatic Environmental Impact Statement for the Marine Mammal Health and Stranding Response Program. We concur with the coordination procedures presented in chapter 5.4 of the Draft EIS.

If you have any questions, please contact Miguel Bonini at (787) 721-3737 or mbonini@prshpo.gobierno.pr.

Sincerely,

Aida Belén Rivera Ruiz, Archaeologist
State Historic Preservation Officer

ABR/KG/MB/img

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APPENDIX C

POLICIES AND BEST PRACTICES FOR MARINE MAMMAL STRANDING RESPONSE, REHABILITATION, AND RELEASE

NATIONAL TEMPLATE

MARINE MAMMAL STRANDING AGREEMENT BETWEEN

**NATIONAL MARINE FISHERIES SERVICE OF THE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
DEPARTMENT OF COMMERCE**

AND

[Stranding Network Organization]



**Prepared by Janet E. Whaley, DVM
Office of Protected Resources
1315 East-West Highway
Silver Spring, MD 20910**

February 2009

Shaded denotes reserved text at the discretion of the NMFS Regional Administrator

Articles III, IV, V, and VI are reserved and issued at the discretion of the NMFS Regional Administrator.

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ARTICLE I

General Provisions

A. Authority

1. This Marine Mammal Stranding Agreement (hereinafter Agreement) is entered into between the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS)[*insert Regional Office*], and the Stranding Network Participant [*insert Stranding Network Organization*] (Participant), under the authority of section 112(c) and section 403 of the Marine Mammal Protection Act of 1972 (MMPA), as amended. **This Agreement supersedes all pre-existing Stranding Agreements between these parties. An organizational representative with signatory authority (e.g. Executive Director, President, CEO) must sign this Agreement on behalf of the Stranding Network Organization.**
2. NMFS has been delegated authority by the Department of Commerce to administer the MMPA. To assist in the implementation and administration of the MMPA, the Stranding Network has been established to respond to stranded marine mammals within NMFS' [*insert Region*] of the United States. The [*insert Region*] consists of the following coastal states and territories: [*List states/territories*].

B. Scope

1. Under the MMPA, NMFS is responsible for mammals of the **Order Cetacea** and the **Order Pinnipedia** other than walruses (hereinafter marine mammals).
2. The geographic response area assigned to Participant consists of the following: [*list response area including primary and secondary geographic response areas as necessary*]. The Participant may assist in stranding response within the Region outside of their assigned response area, if requested by NMFS or by another Participant. Outside the [*insert Region*], the Participant may assist with stranding response upon request from the appropriate regional NMFS Regional Stranding Coordinator(s).

C. Limitations

1. This Agreement creates an authorization for the Participant to take marine mammals, which would be otherwise prohibited by the MMPA. This taking authorization only applies to the Participant and its authorized personnel (see Article VI) for activities that are consistent with this Agreement.
2. In particular, this Agreement does not authorize:
 - a. The taking of any marine mammal species listed as endangered or threatened under the Endangered Species Act of 1973 (ESA), as amended. Authorization to

take ESA listed species is provided under an MMPA/ESA Permit No. 932-1489-09, as amended, issued to the NMFS National Marine Mammal Health and Stranding Response Program Coordinator and requires authorization and direction from the NMFS Regional Stranding Coordinator in the event of a stranding involving a threatened or endangered marine mammal.

- b. The sale or offer of sale of any marine mammal or marine mammal parts including cells, gametes, or cell cultures.

D. Definitions

All terms used in the Agreement shall be interpreted to have the meaning specified in the MMPA section 3 and section 409 and NMFS implementing regulations 50 CFR 216.3 unless the context or specific language requires otherwise. For ease of reference, those definitions, as well as additional terms and definitions for this Agreement, are provided in Attachment A.

ARTICLE II

Purpose and General Responsibilities

A. Purpose of Agreement. NMFS and the Participant enter into this Agreement for the following purposes:

1. To provide for rapid response and investigation of stranded marine mammals *[insert taxa]* within the *[insert Region]* in accordance with the purposes and policies of the MMPA.
2. To implement Title IV (Marine Mammal Health and Stranding Response Program) of the MMPA:
 - a. to facilitate the collection and dissemination of reference data on the health of marine mammals and health trends of marine mammal populations in the wild;
 - b. to correlate the health of marine mammals and marine mammal populations in the wild with available data on physical, chemical, and biological environmental parameters; and
 - c. to detect and coordinate effective responses to Marine Mammal Unusual Mortality Events (UMEs).
3. To specify the activities during which the Participant may take stranded marine mammals *[insert taxa]* or marine mammal parts for the primary purpose of ensuring the appropriate response, *[rehabilitation]*, disposition, and utilization of stranded marine mammals or marine mammal parts under MMPA sections 109(h), 112(c), and 403 and the Agreement.
4. To define the nature and extent of services that the Participant will provide NMFS under this Agreement and NMFS' responsibilities to the Participant.
5. To specify the requirements for the preparation and maintenance and reporting of records containing scientific data obtained from dead and live stranded marine mammals or parts from dead stranded marine mammals.
6. To provide for the timely exchange of information for use by both parties and other network members in furthering the objectives of the MMPA under this Agreement.

B. Joint Responsibilities

NMFS and the Participant will work cooperatively to:

1. Implement Title IV of the MMPA;

2. Effectively respond to and investigate the causes and impacts of UMEs;
3. Collect the appropriate data for determination of serious injuries and mortalities due to human interactions;
4. Collect reference data on marine mammal health and diseases;
5. Collect data on the frequency and causes of strandings; and
6. Interpret findings and identify health trends and diseases of concern to include emerging, reportable, and zoonotic diseases.

C. NMFS Responsibilities

NMFS Shall:

1. Provide the Participant with notice of any changes to laws, regulations, policies and/or guidelines applicable to or promulgated by NMFS that may apply to the Participant's activities. This includes criteria for issuance, renewal and termination of stranding agreements. Notwithstanding this provision, it is the responsibility of the Participant to comply with all laws, regulations, policies and/or guidelines that apply to the Participant's activities.
2. Conduct periodic (*Reserved annual*) compliance reviews of Stranding Agreements as stated in Article IX.
3. Provide guidance and assistance regarding investigation of marine mammal unusual mortality events including financial and physical resources (example: NOAA laboratory assistance) and financial resources when available and authorized (in accordance with section 405 of the MMPA – UME National Contingency Fund) and in coordination with the Working Group on Marine Mammal Unusual Mortality Events.
4. Alert the Participant when NMFS has been notified that there are diseases of concern that are emerging, reportable, and/or zoonotic within the [*insert Region*].
5. Pursuant to criteria established under the MMPA section 407, provide access to the National Marine Mammal Health and Stranding Response Program Database, as developed, and access to marine mammal tissues in the National Marine Mammal Tissue Bank following NMFS data and tissue access procedures and policies.
6. As needed and as resources are available, provide specialized marine mammal stranding response and investigation training on a local, regional or national basis.

7. Pursuant to MMPA section 402, collect and update periodically and make available to stranding network participants and other qualified scientists, existing information on:
 - a. procedures and practices for rescuing and rehabilitating stranded marine mammals;
 - b. species by species criteria used by the stranding network participants, for determining at what point a marine mammal undergoing rescue and rehabilitation is returnable to the wild based on its ability to survive in the wild and risk to the wild population of marine mammals;
 - c. procedures and practices for collecting, preserving, labeling, and transporting marine mammal tissues for physical, chemical, and biological analyses;
 - d. relevant scientific literature on marine mammal health, disease, and rehabilitation;
 - e. compilation and analyses of strandings by region to monitor species, numbers, conditions, and causes of illness and death in stranded marine mammals; and
 - f. other life history and reference level data, including marine mammal tissue analyses that would allow comparison of the causes of illness and death in stranded marine mammals with physical, chemical, and biological environmental parameters.
8. Identify a Stranding Coordinator who will serve as the Participant's primary point of contact for notification, coordination, reporting, and response [and rehabilitation] activities as specified throughout this Agreement. The NMFS Regional Administrator will serve as the Participant's primary point of contact for administration of the Agreement, as well as dispositions and other management activities as specified throughout the Agreement. The NMFS Regional Administrator's designated point of contact for this Agreement is the NMFS Stranding Coordinator; [Regional stranding coordinator or administrator, Regional Office, Protected Resources Division] (see Attachment B for contact information).
9. In certain circumstances such as large scale events (e.g. mass stranding, unusual mortality events, live right whale stranding), NMFS may establish a formal Incident Command System (ICS) for response, including the identification of an Incident Commander. Events such as oil spills, NMFS will follow direction from United States Coast Guard (USCG). Opportunities for ICS training can be accessed through the Federal Emergency Management Agency (see <http://www.training.fema.gov/EMIWeb/IS/is100.asp>), USCG, or NMFS. If necessary, guidance will be provided by NMFS on a case-by-case basis.

10. Relay reports of stranded marine mammals (live or dead) within the Participant's geographic range to the Participant and inquire whether the Participant has the capability to respond. If the Participant cannot respond, the Stranding Coordinator may make requests to other regional Stranding Participants to respond.
11. Coordinate regional activities to maximize geographic coverage while facilitating appropriate division of responsibilities among regional Participants according to institutional abilities and authorities.
12. Respond to the Participant's completed requests for authorizations such as requests for parts authorizations, parts transfers, and release determinations.
13. Provide information regarding availability of Prescott Grants and any other relevant NMFS funding opportunities.
14. [*Reserved* {For emergency stranding events (live or dead), provide and maintain a 24-hour stranding hotline number: ###-###-####. NMFS shall also provide and maintain a backup stranding pager number:###-###-####.}]

D. Participant Responsibilities

The Participant shall:

1. Comply with laws, regulations, policies and/or guidelines applicable to or promulgated by NMFS that apply to activities under this Agreement; or any Federal, state or municipal laws that pertain to stranding network operations (e.g., municipal water management laws).
2. Cooperate with other members of the [insert Region] Stranding Network and the National Marine Mammal Stranding Program as well as Federal, state, and local officials and employees in matters supporting the purposes of this Agreement.
3. Be subject to the direction of a designated employee (e.g., NMFS Marine Mammal Stranding Coordinator or NMFS Special Agent) representing the NMFS [insert Region] Regional Administrator or Office of Law Enforcement with respect to the taking of a stranded marine mammal.
4. Manage any and all expenses that the Participant incurs associated with the activities authorized by this Agreement. NMFS does not have funds to reimburse volunteers for expenses incurred in responding to stranding events. However under the marine mammal UME process, funding may be available for costs associated with specific analyses and additional requests in accordance with section 405 of the MMPA UME National Contingency Fund and in coordination with the Working Group on Marine Mammal Unusual Mortality Events. Additionally, competitive funding opportunities for Stranding Network Participants may be available through the Prescott Stranding

Assistance Grant Program (see <http://www.nmfs.noaa.gov/pr/health/prescott/>).

5. Promote human and public safety by taking precautions against injury or disease to any network personnel, volunteers, and the general public when working with live or dead marine mammals.
6. Notify [immediately or] within 24 hours the NMFS Stranding Coordinator of learning of any diseases of concern (e.g., emerging, reportable, and/or zoonotic diseases) that are detected and/or confirmed that could be a potential hazard for public health or animal health (NMFS will provide guidance on reportable diseases as it becomes available);
7. Transfer of marine mammal parts (50 CFR 216.22 and 216.37):
 - a. Non-diagnostic parts, tissues, cells, gametes, or cell cultures to be used for scientific research, species enhancement, or education shall be transferred only to persons or labs that have received prior written authorization from the NMFS MMPA/ESA scientific research permit or a Regional Authorization. A unique field number assigned by NMFS (e.g., NMFS Registration Number) or the Participant must be marked on or affixed to the marine mammal part or container.
 - b. Diagnostic parts, tissue samples, fluid specimens, parts, or cells may be transferred to labs within the United States for diagnostic use without any additional authorizations.
8. Work cooperatively with the NMFS and the USCG in a hazardous waste spill (i.e., oil spills) ICS if implemented.
9. Notify the NMFS Regional Administrator in writing within 30 days of any changes in its Designee organizations, key personnel (see Attachment A), capabilities, and/or geographic area of response.
10. If requested, the Participant shall coordinate with NMFS to develop and implement a media plan relating to stranding events.
11. Photo documenting (still or video) for other than diagnostic or identification purposes (such as dorsal fin identification, documentation of lesions, scars, etc.) must not interfere or influence the conduct of the stranding responders and response in any way or cause additional harassment to marine mammals.
12. If requested by the NMFS Regional Stranding Coordinator, the Participant will provide copies of any photographs, films, and/or videotapes documenting any stranding, particularly for those strandings when human interactions are reported or suspected. Reimbursement for this request is subject to negotiation between NMFS and the Participant. Any photography, film and/or videotape of the stranding response used for educational or

commercial purposes of stranding response should by the Participant should include a credit, acknowledgment, or caption indicating that the stranding response was conducted under a Stranding Agreement between NMFS and the Participant under the authority of the MMPA. NMFS will not reproduce, modify, distribute, or publicly display the photograph, film, and/or videotape without consent of the owner, unless required to release a copy under Federal law or order (such as the Freedom of Information Act).

13. By its nature, the handling of stranded marine mammals (dead or alive) is potentially a dangerous activity. The Participant shall indemnify and hold harmless the United States Government from any and all losses, damages, or liability -or claims therefore -on account of personal injury, death, or property damage of any nature whatsoever, arising out of the activities of the Participant, his/her/its employees, his/her/its qualified representatives, designees, subcontractors, volunteers, or agents. Liability for person(s) acting under this agreement is addressed in sections 406(a) and (b) of the MMPA [16 U.S.C. 1421(e)].
14. Provide accurate and honest information in all reports to NMFS.
15. Except where a longer period is specified (e.g., 15 years for rehabilitation cases, see Attachment D *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standard for Rehabilitation Facilities*), maintain records upon which required reports are based for at least 3 years on-site.
16. Upon request by the NMFS Regional Administrator, allow the Regional Stranding Coordinator, other appropriate NMFS employees, or any other appropriate person duly designated by the Regional Administrator, to inspect the facilities and inspect and/or request records that pertain to stranding network activities.
17. *[Reserved* Verbally report any right whale sightings that occur or are reported as part of their normal activities. See Attachment B for contact information.

ARTICLE III Dead Animal Response

**Reserved
OR**

A. The Participant may take species of marine mammals under the MMPA for the purpose of dead animal investigation and response.

Subject to the conditions contained in this Agreement, the MMPA, and the implementing regulations, the Participant may take dead stranded marine mammals or parts therefrom for the collection of data on the health and health trends of wild populations, for the detection of marine mammal UMEs, for the detection of signs of human interaction, for research or education on marine mammal biology and life history, for the determination of cause of death, for the detection of human caused and natural mortality, or for other research as deemed appropriate by the NMFS. These activities specifically include: obtaining measurements and biological samples from dead stranded marine mammals; disposing, or assisting in the disposal, of dead stranded marine mammals at an appropriate landfill or other suitable location; and taking and transporting dead stranded or floating dead marine mammals, or parts therefrom, to facilities or individuals approved pursuant to 50 CFR. 216.22 for scientific research, maintenance in a properly curated, professionally accredited scientific collection, or for educational purposes.

B. Terms and Conditions for Dead Animal Response

1. Response

- a. The Participant shall respond as practicable to reports of dead stranded marine mammals within the geographic range or response specified under Article I, Number B.2. *Reserved* {If the Participant is the closest and/or first responder, the Participant is considered to be the on-site coordinating organization and is in charge of all on-site activities.} In certain circumstances such as a UME, mass stranding, or endangered marine mammal stranding, NMFS may implement the ICS structure and designate an on-site coordinator to be in charge of the event (see Article II C9). In all situations, the Participant will cooperate with Federal, state and local government officials and employees and other stranding network participants when responding to these strandings. If the Participant receives a verified report of a dead stranded marine mammal and does not have the capability to respond appropriately to the report, the Participant shall notify the NMFS Regional Stranding Coordinator and/or adjacent stranding network participants within 24 hours if feasible.

- b. If the Participant leaves a dead animal at the stranding site or in the case of a UME or mass stranding response, the Participant shall, if feasible, mark each animal with a tag or mark, such as roto-tags or grease stick, to assist with data collection and to prevent multiple reports on the same animal(s).
- c. If requested by NMFS Regional Stranding Coordinator and if feasible and practicable, the Participant will assist with stranding response in neighboring areas outside the Participant geographic range (specified in Article I B2).

2. Data Collection and Reporting. The Participant shall collect and provide the following information for each stranded marine mammal they respond to:

- a. Complete the NOAA Form 89-864, OMB #0648-0178 (the Marine Mammal Stranding Report - "Level A" Form) for each stranded marine mammal. Completed forms shall be sent to the NMFS Regional Stranding Coordinator via the NMFS National Marine Mammal Stranding Database or in writing (see Attachment B), no later than 30 days after responding to the stranding event. If requested by the NMFS Regional Stranding Coordinator and if feasible, the Participant shall provide preliminary data (verbal or written) from the Level A - Marine Mammal Stranding Report within 24 hours.
- b. As resources are available, collect additional Level B and Level C data.
- c. Notify the Regional Stranding Coordinator of the following cases [immediately or] within 24 hours or according to the specific reporting guidance provided by the Stranding Coordinator:
 - 1). possible or confirmed human interactions (including military activity),
 - 2). suspected UMEs,
 - 3). extralimital or out-of-habitat situations,
 - 4). mass stranding events and/or mass mortalities,
 - 5). large whale strandings, and
 - 6). any stranding involving endangered or threatened species or identified species of concern [list species]
- d. In certain circumstances (e.g., listed or rare species stranding, UME, possible human interaction case, extralimital or out-of-habitat situation), the NMFS Regional Stranding Coordinator may request necropsies be conducted by a Necropsy Team Leader, or that additional and expedited reporting (verbal or written) of Level B and C data such as analytical results and necropsy reports if available. NMFS will not reproduce, modify, distribute, or publish the data without consent of the Participant unless required to release the data under Federal law or order (such as the Freedom of Information Act);

- e. Collect and make available any gear, debris, or other objects (e.g., bullets, arrows, net webbing, etc.) recovered from a stranded marine mammal that may be evidence of human interaction. The Participant must comply with chain of custody procedures or any other instructions as specified and supported by NMFS [insert Region] and/or NMFS Office of Law Enforcement personnel.
- 3. Parts Disposition.** Diagnostic parts, tissue samples, fluid specimens, parts or cells may be transferred to labs within the United States for diagnostic use without any additional authorizations. For non-diagnostic parts or samples:
- a. Retention: Marine mammal parts may be retained by the Participant for education and/or research purposes, provided they are properly indicated in the “Specimen Disposition” field of NOAA Form 89-864, OMB #0648-0178 (the Marine Mammal Stranding Report - “Level A” Form). Parts and/or containers must be marked with the field identification number assigned by the Participant or by NMFS (i.e., NMFS registration number). Authorization to take parts from ESA listed species in the [insert Region] is currently provided under MMPA/ESA Permit No. 932-1489-09, as amended, issued to the NMFS Marine Mammal Health and Stranding Response Program Coordinator, and requires authorization and direction from the NMFS Regional Stranding Coordinator in the event of a stranding involving a threatened or endangered marine mammal, prior to any action by the Participant.
 - b. Transfer: Report to the NMFS Regional Administrator (See Attachment B) within 30 days of the stranding event, the transfer of any parts salvaged from the stranded marine mammal collected under this Agreement as required by 50 CFR 216.22 [or 50 CFR 216.37]. The Participant must provide the institution name where specimen materials have been deposited and ensure that the retained or transferred parts are marked with the field identification number or assigned NMFS Registration number in the “Specimen Disposition” field on the NOAA Form 89864, OMB #0648-0178 (the Marine Mammal Stranding Report – Level “A” Form) and ensure that retained or transferred parts are marked with the field identification number or the NMFS Registration Number. If parts are being transferred, the Participant must ensure the receiving institution is authorized by the NMFS Regional Administrator to receive marine mammal parts.
- 4. Site cleanup.** The Participant shall make every reasonable effort to assist in the clean up of beach areas where their activities (e.g., necropsy or specimen collection) under this Agreement that may contribute to soiling of the site.

ARTICLE IV Live Animal Response: First Response

**Reserved
OR**

A. The Participant may take species of marine mammals covered under the MMPA for the purpose of live stranding first response (initial assessment and care at the site of stranding and assist in the appropriate disposition of the animal), beach triage, beach release, temporary holding for assessment and triage, translocation and/or transportation to a NMFS authorized rehabilitation center within the [insert Region].

1. The Participant must take live stranded marine mammals in a humane manner (as defined in 50 CFR 216.3, see Attachment A) for the protection or welfare of the marine mammal. [Reserve for those w/ Article III authorization: If the animal dies during the course of response and/or investigation, then the terms and responsibilities contained in Article III of this Agreement become operative.] In addition to the activities authorized in Articles I, II, (*reserved Article III*), the Participant is authorized to implement the following activities under this article:
 - a. Take measurements and collecting blood or other diagnostic samples from live stranded marine mammals for health assessment.
 - b. Return live stranded marine mammals, as directed by the NMFS Regional Stranding Coordinator, to their natural habitat and tagging such animals
 - c. Transport live stranded marine mammals for rescue and rehabilitation to a NMFS approved rehabilitation facility or temporary holding facility.
 - d. Perform humane euthanasia. Euthanasia shall only be performed by the attending veterinarian or by a person acting under the direction of the attending veterinarian and following approved guidelines such as those referenced in Attachment C (*2007 Report of the American Veterinary Medical Association Panel on Euthanasia, 2nd Edition of the CRC Handbook of Marine Mammal Medicine, 2006 Journal of the American Association for Zoo Veterinarians*). When using controlled drugs, such person(s) shall comply with all applicable state and Federal laws and regulations (i.e., registered with the Drug Enforcement Administration). Authorization for euthanasia of ESA-listed species provided under MMPA/ESA Permit No. 932-1489-09, as amended, and requires prior approval and direction from the NMFS Regional Stranding Coordinator.
2. This Agreement does not authorize any projects involving “intrusive research” (as defined in 50 CFR 216.3). Measurements or sampling for scientific research purposes (i.e., outside the scope of accepted diagnostic and treatment practices for the care of an

animal) must be authorized under a NMFS MMPA/ESA scientific research permit.

B. Terms and Conditions for Live Stranding: First Response

1. Response

- a. The Participant shall respond to reports of live stranded marine mammals [Reserved for taxa and schedule]. [Reserved {If the Participant is the closest and/or first responder, the [Participant acronym] is considered to be the on-site coordinator and is in charge of all on-site activities.}] In certain circumstances such as a UME, mass stranding, or endangered marine mammal stranding, NMFS may implement the ICS structure and designate an on-site coordinator to be in charge of the event (see Article II C9). In all situations, the Participant will cooperate with Federal, state and local government officials and employees and other stranding network participants when responding to these strandings. If the Participant receives a verified report of a live stranded marine mammal and does not have the capability to respond appropriately to the report, the Participant shall notify the NMFS Regional Stranding Coordinator without delay. Also, if the NMFS Regional Stranding Coordinator receives a report of a live stranded marine mammal, the Regional Stranding Coordinator may contact the Participant to determine whether the Participant has the capability to respond to the stranding. If the Participant cannot respond in a timely manner, the NMFS Regional Stranding Coordinator may request another Stranding Network participant to respond.
- b. The Participant shall take all steps reasonably practicable under the circumstances to prevent further injury to any live stranded marine mammal, injury to any network personnel, volunteers, government personnel and the general public.
- c. The Participant shall tag or mark any animals that are immediately released to their natural habitat using a NMFS approved tag, such as one-bolt roto tag, cattle ear tags, or freeze branding. Application of other tagging methods must first be approved by the NMFS Regional Stranding Coordinator. Tagging and post-tagging activities are restricted to monitoring the success of marine mammals released to the wild. Any projects outside the scope of monitoring the success of a release must be authorized under a NMFS MMPA/ESA scientific research permit.
- d. If the Participant determines that it is necessary to temporarily hold or triage a stranded marine mammal at a separate site from the NMFS approved rehabilitation facility, the animal(s) cannot be moved until the Participant obtains verbal approval from the NMFS Regional Stranding Coordinator.

Written documentation of the need for an interim location and written concurrence from the NMFS Regional Stranding Coordinator with any associated conditions must be provided at the earliest time practicable within 24 hours.

- e. If the Participant considers responding to an “out-of-habitat” or free-swimming marine mammal [*Reserve:* replace marine mammal with listed species and cetaceans; or listed species and pinnipeds, or listed species] in distress (e.g., entanglement), the Participant must first contact the NMFS Regional Stranding Coordinator for approval and discuss plans for live capture and/or needs for assistance. The NMFS Regional Stranding Coordinator may require a NMFS employee to be present at the time of capture.
 - f. [*Reserved* {The Participant shall follow the guidance provided by the [*insert* Region] in Attachment E, Disposition of Live Stranded Marine Mammals, and shall consult with the NMFS Stranding Coordinator and the attending veterinarian to make a determination regarding immediate release, rehabilitation, or euthanasia of live stranded marine mammals or cetaceans }].
2. **Data Collection and Reporting.** The Participant shall collect and provide the following information for each stranded marine mammal they respond to:
- a. Complete the NOAA Form 89-864, OMB #0648-0178 (the Marine Mammal Stranding Report - “Level A” Form) for each stranded marine mammal. Completed forms shall be sent to the NMFS Regional Stranding Coordinator via the NMFS National Marine Mammal Stranding Database or in writing (see Attachment B), no later than 30 days after responding to the stranding event. If requested by the NMFS Regional Stranding Coordinator and if feasible, the Participant shall provide preliminary data (verbal or written) from the Level A - Marine Mammal Stranding Report within 24 hours.
 - b. If temporarily holding a stranded animal prior to transferring to a NMFS approved rehabilitation facility acting in accordance with this Article, the Participant shall complete the NOAA Form 89878, OMB # 0648-0178 (the Marine Mammal Rehabilitation Disposition Report). This report shall be sent to the NMFS Regional Stranding Coordinator via the NMFS National Marine Mammal Stranding Database or in writing (see Attachment B), no later than 30 days after responding to the stranding event. If requested by the NMFS Regional Stranding Coordinator and if feasible, the Participant shall provide preliminary data (verbal or written) from the Marine Mammal Rehabilitation Disposition Form within 24 hours.
 - c. As resources are available, collect additional Level B and Level C data.

- d. Notify the NMFS Regional Stranding Coordinator of the following cases [immediately or] within 24 or according to the specific reporting guidance provided by the Stranding Coordinator:
- 1). possible or confirmed human interactions (including military activity),
 - 2). suspected UMEs,
 - 3). extralimital or out-of-habitat situations (see B.1.e. of this Article),
 - 4). mass stranding events and/or mass mortalities,
 - 5). large whale strandings, and
 - 6). any stranding involving endangered or threatened species or identified species of concern [list species]
- e. In certain circumstances (e.g., UME, possible human interaction case, extralimital or out-of-habitat situation), the NMFS Regional Stranding Coordinator may request additional and expedited reporting (verbal or written) of Level B and C data such as analytical results and necropsy reports if available. NMFS will not reproduce, modify, distribute, or publish the data without consent of the Participant unless required to release the data under Federal law or order (such as the Freedom of Information Act);
- f. Collect and make available any gear, debris, or other objects (e.g., bullets, arrows, net webbing, etc.) recovered from a stranded marine mammal that may be evidence of human interaction. The Participant must comply with chain of custody procedures or any other instructions as specified and supported by NMFS [insert Region] and/or NMFS Office of Law Enforcement personnel.

[Reserved for those without Article III authorization:]

3. Parts Disposition. Diagnostic parts, tissue samples, fluid specimens, parts or cells may be transferred to labs within the United States for diagnostic use without any additional authorizations. For non-diagnostic parts or samples:

- a. Retention: Marine mammal parts may be retained by the Participant for education and/or research purposes, provided they are properly indicated in the “Specimen Disposition” field of NOAA Form 89-864, OMB #0648-0178 (the Marine Mammal Stranding Report - “Level A” Form). Parts and/or containers must be marked with the field identification number assigned by the Participant or by NMFS (i.e., NMFS registration number). Authorization to take parts from ESA listed species in the [insert Region] is currently provided under MMPA/ESA Permit No. 932-1489-09, as amended, issued to the NMFS Marine Mammal Health and Stranding Response Program Coordinator, and requires authorization and direction from the NMFS Regional Stranding Coordinator in the event of a stranding involving a threatened or endangered marine mammal, prior to any action by the Participant.

b. Transfer: Report to the NMFS Regional Administrator (See Attachment B) within 30 day of the stranding event, the transfer of any parts salvaged from the stranded marine mammal collected under this Agreement as required by 50 CFR 216.22 [or 50 CFR 216.37.] The Participant must provide the institution name where specimen materials have been deposited and ensure that the retained or transferred parts are marked with the field identification number or assigned NMFS Registration number in the “Specimen Disposition” field on the NOAA Form 89864, OMB #0648-0178 (the Marine Mammal Stranding Report – Level “A” Form) and ensure that retained or transferred parts are marked with the field identification number or the NMFS Registration Number. If parts are being transferred, the Participant must ensure the receiving institution is authorized by the NMFS Regional Administrator to receive marine mammal parts.

4. **Site Cleanup.** The Participant shall make every reasonable effort to assist in the clean up of beach areas where their activities (e.g., euthanasia, necropsy, or specimen collection) under this Agreement.

ARTICLE V
Live Animal Response: Rehabilitation and Final Disposition
Reserved
OR

A. The Participant may take live stranded marine mammals in a humane manner with the goal of rehabilitation and release. If the animal dies during the course of rehabilitation, then the terms and responsibilities contained in Article III of this Agreement become operative. In addition to the activities authorized in Articles I, II, (reserved III, IV) of this Agreement and subject to the conditions contained in this Agreement, the MMPA, and the implementing regulations, the Participant is authorized to implement the following activities under this article:

1. In accordance with applicable regulations and NMFS guidelines and best practices, transfer marine mammals to another NMFS approved rehabilitation facility within the [Region] for:
 - a. release back to the wild;
 - b. temporary placement in a scientific research facility holding a current NMFS scientific research permit and a United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Research License; or
 - c. permanent disposition at an authorized facility (i.e. holds an APHIS exhibitors license {7 U.S.C. 2131 *et seq.*}) after consultation with, and authorization by, the NMFS Office of Protected Resources Permits, Conservation and Education Division.
2. Conduct scientific research on stranded animals in a rehabilitation facility, only if the responsible individual has a NMFS scientific research permit and the facility holds an APHIS research license in accordance with the Animal Welfare Act (see 50 CFR 216.27 (c)(6)).
3. Return rehabilitated stranded marine mammals to their natural habitat. A decision regarding whether or not a marine mammal has the potential to be released must be made as early as possible during the rehabilitation period. Any marine mammal eligible for release must be released as early as possible and no later than six months after being taken for rehabilitation unless the attending veterinarian determines that: the marine mammal might adversely affect marine mammals in the wild; release is unlikely to be successful due to the physical condition and behavior of the marine mammal; or more time is needed to make a determination. Release plans must be submitted to the NMFS Regional Administrator at least 15 days prior to the release, unless advanced notice is waived by the NMFS Regional Administrator. The NMFS Regional Administrator may require the participant to provide additional information, modify the release plan, or dispose of the marine mammal in another manner (see 50 CFR 216.27(a) and the

NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release.)

4. Tag rehabilitated stranded marine mammals, strictly for purposes of monitoring success of release to the wild using a NMFS approved tag, such as one-bolt roto-tag, cattle ear tags, or freeze branding. Application of other tagging methods must first be approved by the NMFS Regional Stranding Coordinator. Tagging and post-tagging activities are restricted to monitoring the success of marine mammals released to the wild. Any projects outside the scope of monitoring the success of a release must be authorized under a NMFS MMPA/ESA scientific research permit.
5. Perform humane euthanasia. Euthanasia shall only be performed by the attending veterinarian or by a person acting under the direction of the attending veterinarian and following approved guidelines such as those referenced in Attachment C (*2007 Report of the American Veterinary Medical Association Panel on Euthanasia, 2nd Edition of the CRC Handbook of Marine Mammal Medicine, 2006 Journal of the American Association for Zoo Veterinarians*). When using controlled drugs, such person(s) shall comply with all applicable state and Federal laws and regulations (i.e., registered with the Drug Enforcement Administration). Authorization for the euthanasia of ESA-listed species provided under MMPA/ESA Permit No. 932-1489-09, as amended, and requires prior approval and direction from the NMFS Regional Stranding Coordinator.

B. Terms and Conditions for Live Animal Response: Rehabilitation, Release, or Final Disposition Determination

1. Rehabilitation

- a. The Participant shall comply with laws, regulations, policies, and/or guidelines applicable to or promulgated by NMFS that apply to activities under this Agreement. The Participant must also have all applicable Federal, state, and local permits for rehabilitation facilities, and must comply with all Federal, state, and municipal laws related to operations of the facility.
- b. The Participant shall be responsible for the custody of any living marine mammal taken pursuant to this Article using standards for humane care and for practicing accepted medical evaluation and treatment as described in the *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standard for Rehabilitation Facilities* (Attachment D).
- c. The Participant shall not exceed their maximum holding capacity for cetaceans and pinnipeds based on the minimum standard space requirements, the number of animals housed in each holding area, and the availability of qualified personnel as described in the *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standard for Rehabilitation Facilities* (Attachment D) unless a written waiver is first received from the NMFS Regional

Administrator. The NMFS Regional Stranding Coordinator may offer assistance for relocating animals to another rehabilitation facility and in supporting decisions to euthanize when necessary. Other considerations for determining maximum holding capacity include:

- (1) On-site veterinary care, volunteer support, and experienced staff;
 - (2) Adequate food and medical supplies and medical test capabilities;
 - (3) Isolation for marine mammals;
 - (4) Adequate water quality;
 - (5) Limited public access; and
 - (6) Ability to maintain current, accurate and thorough records
- d. The Participant shall follow contingency plans approved by NMFS for the care of marine mammals in rehabilitation during planned events (e.g., construction) or unexpected events such as mass strandings, UMEs, natural disasters (e.g., hurricanes, harmful algal blooms, El Niño), and/or hazardous waste spills.
- e. The Participant shall isolate rehabilitating marine mammals from other wild or domestic animals and from any animal in permanent captivity.
- f. The Participant shall prohibit the public display and training for performance of stranded rehabilitating marine mammals as required by 50 CFR 216.27(c)(5). This includes any aspect of a program involving interaction with the public.
- g. The Participant shall follow any additional requirements for rehabilitation (e.g., isolation) and release prescribed by NMFS in consultation with the Working Group for Marine Mammal Unusual Mortality Events during a marine mammal UME, as recommended in the *National Contingency Plan for Response to Unusual Marine Mammal Mortality Events*; D.W. Wilkinson, NOAA Technical Memorandum NMFS-OPR-9, September 1996.
- h. The Participant must temporarily refuse admittance of new cases of stranded marine mammals due to the severity of a disease outbreak when instructed by the NMFS Regional Stranding Coordinator, in consultation with the UME Working Group or other experts, if diseases of concern have been reported (e.g. diseases associated with a UME, or any emerging or zoonotic diseases).
- i. The Participant shall not transfer a marine mammal being rehabilitated under this Agreement to another facility without prior approval from the NMFS Regional Stranding Coordinator.

[Reserve:

- j. If a marine mammal dies while in rehabilitation, Article III applies.]

2. Release

- a. Release Recommendation. The Participant shall make a final written recommendation for each animal in rehabilitation as early as possible, and no more than six months after its date of rescue, for release or non-release determination to the NMFS Regional Administrator according to any applicable NMFS release guidelines and regulations including 50 CFR 216.27 (release, non-releasable, and disposition under special exception permits for rehabilitated marine mammals). This final recommendation shall include a release recommendation signed by the Participant's attending veterinarian, attesting that the marine mammal is medically and behaviorally suitable for release in accordance with the NMFS Standards for Release, and a concurrence signature from the Participant's Authorized Representative or Signatory of the Stranding Agreement (see Attachment D, *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*).
- b. Release Plan. If the Participant recommends release, a release plan must also be included with the final recommendation letter. This information must be submitted to and approved by the NMFS Regional Administrator at least 15 days prior to the release, unless advanced notice is waived by the NMFS Regional Administrator, as required by 50 CFR 216.27(a).

3. Data Collection and Reporting

- a. Diseases of Concern Reporting. The Participant shall notify, [immediately or] within 24 hours, the NMFS Regional Stranding Coordinator of learning of any diseases of concern (e.g., emerging, reportable, and/or zoonotic diseases) that are detected and/or confirmed that could be a potential hazard for public health or animal health (NMFS will provide guidance on Reportable Diseases);
- b. Disposition Reports. Upon release or other disposition of any marine mammal under this Article, the Participant shall complete the NOAA Form 89878, OMB # 0648-0178 (the Marine Mammal Rehabilitation Disposition Report Form). Completed forms shall be sent to the NMFS Regional Stranding Coordinator via the NMFS National Marine Mammal Stranding Database or in writing (see Attachment B), no later than 30 days after final disposition of the marine mammal. If requested by the NMFS Regional Stranding Coordinator and if feasible, the Participant shall provide preliminary data (verbal or written) from the Marine Mammal Rehabilitation Disposition Report within 24 hours.
- c. [Reserved] Annual Summary Reports. The Participant shall submit an annual report (due January 31 each year) summarizing the Participant's rehabilitation activities for the past calendar year. NMFS will not reproduce, modify, distribute, or publish the data without consent of the Participant unless required to release

the data under Federal law or order (such as the Freedom of Information Act).

The reports shall include the following for each animal in rehabilitation:

- i. Species and field number
- ii. If the animal was released:
 - (a) Date, location of release (latitude and longitude).
 - (b) Type and specifics of post-release monitoring (roto-tag, satellite, etc.) and any roto-tag or freeze brand numbers used.
 - (c) Photos if possible.
 - (d) Duration of post-release monitoring.
 - (e) Status of post-release monitoring.
 - (f) Indications from monitoring relative to success of the rehabilitation effort.
 - (g) Disposition of tracking data if applicable.
- iii. If the animal was transferred to permanent care:
 - (a) Date of physical transport (if applicable)
 - (b) Location of permanent care
- iv. If the animal was euthanized, provide the date of euthanasia.
- v. If the animal died, provide the date of death.

[Reserved for those without Article III authorization:]

4. Parts Disposition. Diagnostic parts, tissue samples, fluid specimens, parts or cells may be transferred to labs within the United States for diagnostic use without any additional authorizations. For non diagnostic parts or samples:

- a. Retention: Marine mammal parts may be retained by the Participant for education and/or research purposes, provided they are properly indicated in the “Specimen Disposition” field of NOAA Form 89-864, OMB #0648-0178 (the Marine Mammal Rehabilitation Disposition Report Form). Parts and/or containers must be marked with the field identification number assigned by the Participant or by NMFS (i.e., NMFS registration number). Authorization to take parts from ESA listed species in the [insert Region] is currently provided under MMPA/ESA Permit No. 932-1489-09, as amended, issued to the NMFS Marine Mammal Health and Stranding Response Program Coordinator, and requires authorization and direction from the NMFS Regional Stranding Coordinator in the event of a stranding involving a threatened or endangered marine mammal, prior to any action by the Participant.
- b. Transfer: Report to the NMFS Regional Administrator (See Attachment B) within 30 days of the stranding event, the transfer of any parts salvaged from the stranded marine mammal collected under this Agreement as required by 50 CFR 216.22 [or 50 CFR 216.37.] The Participant must provide the institution name where specimen materials have been deposited and ensure that the retained or transferred parts are marked with the field identification number or assigned NMFS Registration number in the “Specimen Disposition” field on the NOAA

Form 89864, OMB #0648-0178 (the Marine Mammal Rehabilitation Disposition Report Form) and ensure that retained or transferred parts are marked with the field identification number or the NMFS Registration Number. If parts are being transferred, the Participant must ensure the receiving institution is authorized by the NMFS Regional Administrator to receive marine mammal parts.

ARTICLE VI
Participant's Authorized Personnel [and Designees]

Reserved
OR

A. Personnel and Volunteers

Takings of marine mammals authorized in this Agreement may only be directed by the Participant's personnel and trained volunteers identified by the Participant in writing to the NMFS Regional Administrator. The Participant may use other (i.e., not previously identified to NMFS) volunteers to carry out activities in this Agreement only if they are under the close direction of previously identified trained personnel or volunteers. The Participant may not delegate authority to take marine mammals to another person except as provided in this article.

In the event of changes in key personnel, the prospective Participant shall notify the NMFS Regional Administrator in writing (see Attachment B) [within 30 days] and provide a description of the experience of new key personnel for review and approval by NMFS. New key personnel must meet the qualification terms identified in the *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release - Evaluation Criteria for a Marine Mammal Stranding Agreement* (Attachment D).

B. Untrained Citizens

If the Participant requests the assistance of untrained citizens (e.g., during a mass stranding), the Participant is responsible for the actions of those citizens during the response; must take precautions against injury or disease to those volunteer citizens; and must ensure that the citizens' actions do not cause unnecessary harassment of marine mammals.

Reserve all or C.1. and C.2.:

C. Designee Organizations.

1. Authorization for Designee Organization(s). The Participant may designate an organization, or institution, to act on behalf of the Participant as a designee in accordance with this Agreement. For the purposes of this Agreement, the term designee does not refer to individual personnel/volunteers of the Participant's organization, or to individual personnel/volunteers of the Designee organization or institution. Any designation requires prior written approval from the NMFS Regional Administrator (Appendix A). Any organization or institution so designated shall be deemed an agent of the Participant and NMFS, and is subject to ALL applicable provisions of this Agreement as well as applicable laws, regulations, and guidelines. The Participant must provide oversight of their designee organization(s). Any breach of the provisions of this Agreement by a designee of Participant shall be deemed a breach by the Participant.

2. Purpose of Designee Organization(s). The purpose of a designee organization(s) is to assist the Participant with improved sub-region coordination, response, and/or rehabilitation capability within the Participant's geographic area of responsibility. The ability to train and oversee Designees helps create new organizations and build the Stranding Network capacity. NMFS will evaluate designee organizations based on the Participant's justification for geographic need, enhancement of response capabilities, and level of experience provided by the designee organization.
3. Terms and Conditions for Adding Designee(s): To request the addition of a Designee Organization to the Participant's Stranding Agreement, the Participant must submit required written information (see below and Attachment D, *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release - Evaluation Criteria for a Marine Mammal Stranding Agreement*). This information must be received at least 30 days prior to any prospective designation, to the NMFS Regional Administrator (see Attachment B) for review and approval. NMFS will respond in writing to the Participant's request within 30 days of receipt of the request with an approval, rejection, or request for more information.
 - a. Complete name of the designee person, organization, or institution.
 - b. Resumes or CVs of all key personnel for Designees including evidence of relevant training;
 - c. Justification Statement for designation;
 - d. Geographic coverage area for response;
 - e. For rehabilitation facilities, a facility operation plan including personnel, veterinary care, equipment list, and other requirement stated under any applicable NMFS laws, regulations, policies, and guidelines. The Designee must also have all applicable Federal, state, and local permits for rehabilitation facilities;
 - f. Oversight plan including how Participant will monitor the activities of the designee under the Agreement; and
 - g. A copy of written Agreement between the Participant and the Designee that must state that the designee has agreed to abide by all the terms and conditions in the Participant's Stranding Agreement.
4. A Designee organization may not be authorized for activities different than or exceeding those contained in the Stranding Agreement of the Participant.

ARTICLE VII

Rights of States and Local Governments

Nothing in this Agreement shall be construed to affect the rights or responsibilities of other Federal, state, or local government officials or employees acting in the course of their official duties with respect to taking of marine mammals in a humane manner (including euthanasia) for protection or welfare of the marine mammal, protection of public health and welfare or non-lethal removal of nuisance animals (MMPA section 109(h)).

ARTICLE VIII

Effective Dates, Renewal and Application Procedures

A. Effective Date

The terms of this Agreement shall become effective upon the signature by both [Participant acronym] and the NMFS [insert Region] Regional Administrator.

B. Period of Agreement

1. **Duration:** Unless terminated as provided in this Agreement, this Agreement shall expire at the end of the following applicable period [insert expiration date]:

- 1 year for new Stranding Network Participants
- 1 year for a Stranding Network Participant on probation
- 3 years for a live animal responder and rehabilitator (Articles IV and V)
- 6 years for a dead animal only responder (Article III only)

2. **Stranding Agreement Renewals:** No later than 90 days prior to the expiration date of this Agreement, NMFS will provide the Participant with a written notice of expiration, and prescribe information needed from the Participant for renewal (see *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release - Evaluation Criteria for a Marine Mammal Stranding Agreement*, Attachment D). No later than 60 days prior to the expiration date, the Participant shall indicate in writing to NMFS (see Contacts, Attachment B.) that a renewal of this Agreement is requested and shall provide the prescribed information. Following NMFS review of the submitted information to determine if Participant meets applicable requirements, the Agreement may be renewed if agreed to in writing by both parties.

If no written renewal request is received from the Participant, this Agreement becomes null and void upon the above expiration date.

3. **Provisional Stranding Agreements Renewals:** For new participants, the NMFS Regional Administrator will enter into this Agreement for a provisional period of one year from the effective date. The performance of the Participant will be reviewed to determine if the services provided by the Participant under this agreement have been satisfactory to NMFS. If NMFS determines that the new Participant has satisfied the terms and conditions of this stranding agreement, this Agreement may be extended for a multi-year period. New participants operating without any deficiencies (see Article IX. D), are considered to be in “good standing” under this Agreement.
4. **Denial of Stranding Agreement Renewal:** The decision to renew or deny a Stranding Agreement is solely at the discretion of the NMFS Regional Administrator and is not compelled by the Participant’s adherence to the Stranding Agreement criteria. If the

NMFS Regional Administrator denies a renewal request, the denial will be issued in writing by certified mail from the NMFS Regional Administrator to the Participant within 30 days of the Participant's submission of a completed application, and will be based upon the Regional Administrator's judgment of:

- a. Past performance of the Participant;
- b. Existing capabilities of the Participant; and
- c. Geographic and programmatic needs of NMFS' stranding program.

A Stranding Agreement for which renewal is denied by the NMFS Regional Administrator becomes null and void upon the expiration date listed above.

ARTICLE IX

Review, Modification and Termination

A.. Review

The NMFS [*insert Region*] ARA for Protected Resources shall review this Agreement [*reserve annually or from time to time*] for performance adequacy and effectiveness.

B. Modification

The Participant or the [*insert Region*] Regional Administrator may request a modification to the Stranding Agreement, including, but not limited to, procedural or administrative changes, such as a change in contact information, and a request for expansion or reduction of activities authorized by this Agreement. A request for authority for additional activities may require submission of information identified in Attachment D, *NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release - Evaluation Criteria for a Marine Mammal Stranding Agreement*. Modifications and reductions in authority, as well as notice of issuance or denial of a request for increased authorizations, will be given in writing within 30 days of receipt of a completed request. The Participant and the NMFS Regional Administrator may determine that a new Stranding Agreement is warranted.

C. Suspension or Termination request by Participant

The Participant may request suspension of all or part of this Stranding Agreement for a stated period of time, or may terminate this Agreement, upon 30 days written notice to the NMFS Regional Administrator. Suspension of the authorization of activities at the request of the Participant may be given without prejudice to the reinstatement of authorization or renewal of a Stranding Agreement.

D. Non-Compliance with Stranding Agreement or Violations of Law by Participant

Except in cases of willfulness, or those in which public health, interest, or safety requires immediate suspension, or termination of this Agreement, NMFS shall provide the Participant with notice and an opportunity to correct any deficiencies within a time period specified by NMFS, in writing, if the Participant fails to satisfy the terms and condition of this Agreement or violates any laws, regulations, or guidelines applicable to this Agreement, or Federal, state or municipal laws related to stranding network operations. The NMFS Region may take the following actions based on the circumstances:

1. **Probation.** The Participant may be put on probation for up to three years if deficiencies are not corrected. The NMFS Regional Stranding Coordinator and the Participant will develop a timetable with reasonable and measurable milestones that must be achieved to correct deficiencies during the probation period. Probation requires annual reviews of the Participant's activities for up to three years.

A participant on probation may not be in “good standing” with the Stranding Network.

2. **Suspension.** The NMFS Regional Administrator may suspend the Participant’s authority, or any portion of their authority, as appropriate (e.g., suspend rehabilitation authority, but not live or dead animal response), with 30 days written notice, for up to 1 year or until NMFS is satisfied that all deficiencies and violations have been adequately addressed. A notice of suspension listing deficiencies and a timetable with reasonable and measurable milestones required to correct those deficiencies will be issued in writing, delivered in person or by certified mail, from the NMFS Regional Administrator if, in the judgment of the Regional Administrator, the Participant has:
 - a. Submitted false information or statements in applications or reports;
 - b. Not satisfied the terms and conditions of the Stranding Agreement;
 - c. Failed to correct deficiencies in a timely manner; or
 - d. Violated applicable Federal, state, or municipal laws, regulations, guidelines, or other requirements.

A participant on suspension is not in “good standing” with the Stranding Network.

3. **Immediate suspension.** The NMFS Regional Administrator may require immediate suspension of authorization under a Stranding Agreement, or any part of the Agreement, without prior notice if, in the judgment of the Regional Administrator, suspension is needed to protect marine resources, in cases of willfulness, or as otherwise required to protect public health, welfare, interest, or safety, (which includes interest in the welfare of marine mammals). During the suspension period, the NMFS Regional Stranding Coordinator may ask other Stranding Network participants to respond in the Participant’s area of geographic coverage. If the Participant’s Stranding Agreement is suspended while animals are in rehabilitation, NMFS reserves the right to either confiscate the animals or to arrange for another participant to take over rehabilitation or take custody of the animals. A written notice of immediate suspension will be issued in person or by certified mail.

A participant on immediate suspension is not in “good standing” with the Stranding Network.

4. **Termination.** The NMFS Regional Administrator may terminate this Agreement, or any part thereof, upon at least 30 days written notice to the Participant, delivered in person or by certified mail. The Agreement may be terminated for any reason, including the Participant’s:
 - a. Submission of false information or statements in applications or reports;
 - b. Failure to satisfy the terms and conditions of the Stranding Agreement;
 - c. Failure to correct deficiencies in a timely manner; or

- d. Violation of applicable Federal, state, or municipal laws, regulations, guidelines, or other requirements.

The NMFS Regional Stranding Coordinator may ask another Stranding Network participant to respond in the Participant's area of geographic coverage. If the Participant's Stranding Agreement is terminated while animals are in rehabilitation, NMFS reserves the right to either confiscate the animals or to arrange for another participant to take over rehabilitation of or to take custody of the animals.

Termination of the Agreement for any reason shall automatically terminate any designations by the Participant to any designee organizations under this Agreement.

[Reserve for SAs with Designees]:

5. **Violations by Designees.** Violations by the Participant's Designee organization are considered to be violations by the Participant. NMFS will address violations by Designees directly with the Participant according to this Article. In addition, NMFS may use the remedy of terminating the designation.

Pursuant to the terms and conditions described above in this Stranding Agreement between [Region] and [Participant], the Participant is authorized (*insert applicable authorizations*):

- Under Article III to response to strandings of dead marine mammals *{reserve for taxa}*;
- Under Article IV to provide first response to live stranded marine mammals;
- Under Article V to rehabilitate and release live stranded marine mammals

THIS STRANDING AGREEMENT IS ENTERED INTO AND MADE EFFECTIVE THIS

Date _____

Date _____

APPROVED:

NMFS [Region] Region

[Stranding Network Organization]

Signature of Regional Administrator

Signature of Authorized Representative

THIS STRANDING AGREEMENT REMAINS IN EFFECT UNTIL:

Expiration Date: _____

Appendix A.

Designees:

Statement of Agreement for designation of authority and responsibilities to any organization or institution to act as agents under this Agreement.

AGREEMENT

I have read the conditions as stated above for participating in the Stranding Network as an agent of the _____ (Stranding Network Organization) under its Agreement with the National Marine Fisheries Service Region and agree to abide by all applicable provisions of the Agreement between the National Marine Fisheries Service Region and _____ (Stranding Network Organization).

NMFS Region	Authorized Representative of Stranding Organization	Authorized Representative of Designee Organization
--------------------	--	---

Signatures

Title

Affiliation

Date

Expiration Date

ATTACHMENT LIST

Attachment A. List of Terms and Definitions under 50 CFR 216.3, Glossary of Terms, etc.

Attachment B. Regional contact information, 24 hour numbers, etc.

Attachment C: Euthanasia guidance

Attachment D: NOAA National Marine Fisheries Service *Best Practices* for Marine Mammal Stranding Response, Rehabilitation, and Release Documents:

- **Evaluation Criteria for a Marine Mammal Stranding Agreement (New Applicants and Renewals of Existing Participants)**
- **Standards for Release**
- **Standards for Rehabilitation Facilities**
- **Level A Forms (Marine Mammal Stranding Report and Marine Mammal Rehabilitation Disposition Report)**

Attachment E: NMFS Southeast Region Disposition of Live Stranded Marine Mammal guidance.

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POLICIES AND BEST PRACTICES

MARINE MAMMAL STRANDING RESPONSE, REHABILITATION, AND RELEASE

Evaluation Criteria for a Marine Mammal Stranding Agreements (New Applicants and Renewals)

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February 2009

**Evaluation Criteria for a Marine Mammal Stranding Agreement
(New Applicants and Renewals)**

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Evaluation Criteria for a Marine Mammal Stranding Agreement (New Applicants and Renewals)

Shaded text denotes reserved text at the discretion of the NMFS Regional Administrator.

⁽¹⁾ To renew an existing Stranding Agreement, the applicant must demonstrate past compliance with the terms and responsibilities of their Stranding Agreement, including reporting requirements and deadlines.

⁽²⁾ For the purpose of network development and expansion of stranding response capabilities in geographically remote or low coverage areas [e.g., Alaska, Washington, Oregon, Hawaii, and American Territories (i.e., Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marina Islands)], referenced evaluation criteria may be waived based on the discretion of the NMFS Regional Administrator.

⁽³⁾ If long-term care is not feasible, a plan for disposition of live marine mammals at alternate care facilities must be submitted.

1. Purpose and Application

These minimum evaluation criteria have been developed to assist the National Marine Fisheries Service [Region] Region (NMFS) in its evaluation of Stranding Agreement renewal requests and new Stranding Agreements proposals. Prior to issuing new Stranding Agreements, the NMFS [Region] Regional Administrator must determine there is a programmatic and/or geographic need for a Stranding Network Participant in the proposed area of response. Geographic or programmatic needs are based on, but not limited to, the following factors: the historic number of stranded marine mammals in an area, the amount of personnel and resources of stranding network participants with existing agreements in the proposed response area, the geographic extent of the proposed response area, and the proximity of the existing and prospective stranding network participants to the proposed response area.

The decision to enter into an Agreement under which an organization may take species under the Marine Mammal Protection Act for the purpose of stranding response is solely at the discretion of the NMFS [Region] Regional Administrator. NMFS [Region] Region is not compelled to enter into or to decline to enter into a Stranding Agreement based on an interested party's adherence with these criteria. NMFS weighs the geographical need, programmatic need, level of expertise, stranding related activities, cooperation, and criteria listed below when making its determination in determining whether to issue a new Stranding Agreement.

2. General Evaluation Criteria for Articles III, IV, and V Authorization ⁽¹⁾

2.1 General Information

The existing or prospective Participant should provide the following information to NMFS as part of their request to obtain or renew an existing Stranding Agreement with NMFS or upon any significant changes to the information:

1. Participant Contact Information. This should include:
 - a. Mailing address, phone number, e-mail, and facsimile for all official correspondence.
 - b. Physical address and location of the facility or facilities (if applicable).
 - c. Name, title, and contact information for an authorized representative with signatory authority for the organization - Authorized Representative (e.g., Executive Director, Director, President, CEO, etc.).
 - d. [24-hour] contact numbers if applicable, including office, home, and/or cell phone numbers of primary responders, key personnel/volunteers, and veterinarians.
2. Description of Organizational Goals, Capability, and Experience. This should include:
 - a. Brief summary of the existing or proposed organization's mission, goals, and objectives and how these complement objectives for the [Region] Regional Stranding Network.
 - b. Brief summary on history and type of organization (e.g., university, governmental, non-profit, aquarium, etc.).
 - c. Description of any past or current collaboration with NMFS, other Stranding Network participants, researchers, or the public.
 - d. Summary of relevant organizational experience with response to live/dead stranding events and /or rehabilitating marine mammals within the past three years.
 - e. An overview of general capabilities to conduct stranding response.
3. Proposed Scope and Area of Geographic Response. This should include:
 - a. Brief summary of the existing or proposed scope of the stranding program (e.g., all species of cetaceans, pinnipeds), and whether the request is for response to dead animals only, live and dead animals, and/or rehabilitation.
 - b. Justification and description of the existing or proposed geographic area of coverage and why the area of response is appropriate for the organization (e.g., the amount of personnel/volunteers and resources available, relative to shoreline covered, historic

number of stranding events, etc.). Latitude and longitude of proposed geographic area and maps are especially helpful.

4. Description of Organizational Structure. This should include:
 - a. An overview of staffing, personnel, volunteers, veterinarians, the primary representative, and primary responders, including organizational charts, titles, and position descriptions as appropriate.
 - b. Brief summary of relevant training, experience, and qualifications for key stranding response personnel, including primary responders, veterinarians and volunteers as appropriate.
 - c. Description of how personnel/volunteers will collect, report, and maintain Level A stranding data and conduct basic (Level B) tissue sample collection. This should also address requirements for accurate and timely reporting.
 - d. Description of how volunteers are trained and monitored to ensure quality data collection.
 - e. Description of how the organization will keep NMFS informed about any changes in key personnel, geographic area of coverage, or capabilities.
5. Equipment and Resources. This should include:
 - a. Description of resources, supplies and equipment currently available to conduct stranding response (live and/or dead). This could include, but may not be limited to, information on types and availability of necropsy equipment, freezers, trucks, tagging equipment (e.g., roto-tags), stretchers, vessels, triage equipment, and transport equipment, and temporary and/or permanent pools.
6. Rapid Response and Investigation Procedures. This should include:
 - a. Procedures for stranding response for dead/live stranded marine mammals.
 - b. Human health and safety precautions used.
 - c. How calls are handled, availability (e.g., 24 hour pager), and which personnel will respond.
 - d. How necropsies will be coordinated and conducted.
 - e. Capabilities and general rescue plan, and plans for animal care (e.g., on-site veterinary care) for live animal response including triage, transport, and euthanasia.
 - f. Protocols for decision-making when responding to a live animal.
 - g. Description of how the organization will coordinate with other Stranding Network members and NMFS.

7. Any other relevant documentation (permits, authorizations, agreements, etc.) for review prior to entering into any Stranding Agreement and at any subsequent time as requested by the [Region] Regional Administrator, or when additional documentation is obtained that may become relevant to performance under the Agreement.
8. Documentation of experience, ability, and knowledge (e.g., CV, resume, certificates, letters of recommendation, etc.) of key personnel (e.g., primary representative, primary responder). Experience can be obtained through paid employment, internships, volunteering, course work, and/or NMFS approved training.
9. For prospective Participants, demonstrate experience working under the direct supervision of an existing Stranding Network Participant in good standing or NMFS for at least three years or equivalent case load.⁽²⁾ The prospective Participant may apprentice as a “designee” organization under a Stranding Agreement holder to obtain this experience.
10. Letter(s) of support from peers such as other stranding network organizations (Stranding Agreement/Designee organizations), universities/researchers, government agencies, non-governmental organizations, professional organizations, etc. Such letters of support could also be provided from the current Stranding Agreement holder under which the Participant received experience and include assurances that the prospective Participant can support programmatic and geographic needs in the area (new Stranding Agreement proposals only).

2.2 General Qualifications for Articles III, IV, and V

NMFS will evaluate existing and prospective participants based on their demonstrated track record and their capabilities in the following areas as described in their request:

1. Ability to provide description of [24-hour] on-call coverage for the proposed geographic area of response (e.g., established “hot-line” number, message phone, staffed pager, etc.).
2. Demonstrated ability to comply with standard instructions and collect Level A data from stranded marine mammals according to established protocols.
3. Ability to conduct full post-mortem exams, including obtaining histopathology samples and other biological samples (if feasible and requested by NMFS).
4. Willingness and ability to communicate in a professional manner, and demonstrated ongoing cooperation with NMFS, other network members, the general public, local and state agencies.
5. Willingness and ability to cooperate with authorized marine mammal researchers.
6. Ability to address health and safety when responding to dead or live stranded marine mammals, or marine mammals in rehabilitation (e.g., a description of the organization’s

- operational safety plan or protocols).
7. Demonstrated experience specific to the marine mammal species that are most likely encountered in the proposed area of geographic response.

3. Evaluation Criteria for Response to Dead Stranded Marine Mammals - First Response (Article III Authorization)⁽¹⁾

In addition to the general criteria, Participants proposing to respond to dead stranded marine mammals should provide information that shows the Participant's plan for implementing Article III of the Stranding Agreement, and present evidence that the Participant has the skills, resources, and organizational capabilities to be successful.

3.1 Information for Article III Authorization

Key Personnel. The prospective Participant should have and maintain one Authorized Representative and at least two **Primary Responders**, at least one of whom will be on-site or supervising when dead animals are being examined or handled and is responsible for the day to day operations (i.e., paid and unpaid staff).⁽²⁾ The **Authorized Representative** has signatory authority for the stranding organization and may be the signatory of the stranding agreement (e.g., Executive Director, President, CEO, etc.).

1. Additional personnel may be necessary, commensurate with the proposed geographic area of response and frequency of stranding events.
2. **Equipment List.** The prospective Participant should demonstrate they have and maintain equipment appropriate to dead animal stranding response – i.e., for dead animal response the equipment list should at least include items necessary for Level A data collection.

3.2 Qualifications for Article III Authorization

1. Key personnel should have experience or comparable training to collect Level A data and if possible to collect Level B data (i.e., complete necropsy). Requests should address key personnel qualifications as follows:
 - a. Experience conducting or observing complete necropsies [on a minimum of six marine mammals with at least three of those necropsies on Code 2 animals.]⁽²⁾
 - b. Ability to identify species of marine mammals in the field (Code 2).
 - c. Ability to accurately identify code condition of marine mammals in the field (Code 1-5).
 - d. Ability to obtain accurate Level A stranding data and if possible, to conduct basic tissue sample (Level B) collection.
 - e. Knowledge and experience complying with Level A data reporting requirements.

- f. Knowledge and experience complying with sampling protocols, sample processing, and shipping procedures.
- g. Knowledge of marine mammal anatomy and physiology.
- h. Knowledge of human health and safety precautions including potential zoonotic marine mammal disease.
- i. Knowledge of state and local disposal policies and rules.

4. Evaluation Criteria for First Response, Triage, and Transport of Live Stranded Marine Mammals (Article IV Authorization)⁽¹⁾

In addition to criteria in sections I and II, prospective Participants proposing to conduct response to live stranded marine mammals should provide information that shows the Participant's plan for implementing Article IV of the Stranding Agreement, and present evidence that the Participant has the skills, resources, and organizational capabilities to be successful.

4.1 Information for Article IV Authorization

Key Personnel. The prospective Participant should have and maintain one Authorized Representative and at least two **Primary Responders** all with experience in marine mammal stranding response, triage, transport, and/or euthanasia, at least one of whom will be on-site or supervising when animals are being examined or handled and is responsible for the day to day operations (i.e., paid and unpaid staff). The **Authorized Representative** has signatory authority for the stranding organization and may be the signatory of the stranding agreement (e.g., Executive Director, President, CEO, etc.).

1. Additional personnel may be necessary, commensurate with the proposed geographic area of response.
2. **Veterinary Support.** The prospective Participant should identify an attending veterinarian and identify at least one backup veterinarian or have a contingency plan for when the attending veterinarian is not available. Requests should provide documentation of the veterinarian's experience (e.g., CV, certificates, licenses, etc.).

4.2 Qualifications for Article IV Authorization

Requests should address key personnel and veterinarian qualifications as follows:

1. Key personnel should have experience or comparable training in all aspects of live animal response:
 - a. Experience responding to a minimum of **[five]** live marine mammal stranding events (note: a mass stranding is considered to be one event).⁽²⁾
 - b. Experience providing triage and/or transport for a minimum of **[three]** live stranded marine mammals during separate stranding events.⁽²⁾
 - c. Knowledge and experience monitoring marine mammal vital signs.

- d. Ability to assess the condition of stranded marine mammals and make recommendations concerning immediate release, rehabilitation, or euthanasia.
 - e. Ability to accurately identify species of marine mammals in field conditions.
 - f. Experience responding to at least one mass stranding event (preferred but not required).⁽²⁾
 - g. Ability to [draw blood and] make basic measurements (e.g., length).
 - h. Ability to tag a marine mammal (e.g., for situations that involve immediate release following assessment).
 - i. Ability to communicate professionally with other members of the Stranding Network and take direction from NMFS and other on-site coordinators.
2. Attending veterinarians should meet the following criteria:
 - a. Be on-call 24-hours.
 - b. Knowledge and demonstrated experience in monitoring marine mammal vital signs.
 - c. Ability to assess the condition of stranded marine mammals and make recommendations concerning immediate release, rehabilitation, or euthanasia.
 - d. Ability to draw blood from a marine mammal.
 - e. Have the appropriate registrations and licenses (e.g., registered with the Drug Enforcement Administration for handling controlled substances) to obtain the necessary medications and euthanasia drugs.
 - f. Ability to perform humane euthanasia on marine mammals.
 - g. Demonstrated familiarity with marine mammal triage and transport.
 - h. Access to a list of veterinarians with marine mammal expertise to consult with if needed.
 - i. Compliance with any applicable state requirements for veterinary practice on stranded marine mammals.
 3. The prospective Participant should demonstrate knowledge of national, state, and local/municipal laws relating to live animal response.
 4. The prospective Participant should have provisions for, and willingness to conduct, humane euthanasia as necessary and appropriate.
 5. Equipment List. The prospective Participant should have and maintain equipment appropriate to live stranding response, i.e., those items necessary for triage, transport, and/or euthanasia. A complete list of equipment available shall be provided by the prospective Participant.

5. Evaluation Criteria for Rehabilitation and Release of Live Stranded Marine Mammals (Article V Authorization)^(1,3)

In addition to the criteria in sections II, III, and IV (if applicable), Participants requesting authorization to conduct rehabilitation of marine mammals should provide information that shows the Participant's plan for implementing Article V of the Stranding Agreement, and present evidence that the Participant has the skills, resources, and organizational capabilities to be successful. The NMFS document, "*Policies and Best Practices: Standards for Rehabilitation Facilities*," provides additional detailed guidance for preparing Stranding Agreement requests. This document can be found at <http://www.nmfs.noaa.gov/pr/health/eis.htm>. Facility operations should be consistent with applicable NMFS policies, guidelines, directives, regulations, and other applicable State and Federal policies, guidelines, directives, regulations, and laws.

5.1 Information for Article V Authorization

The prospective Participant should provide information on the following:

1. Facility Capabilities and Procedures. This should include, but not be limited to:
 - a. Information on facilities.
 - i. Pool type (or housing/pool for pinnipeds) design, description, and dimensions.
 - ii. Type of available shelter and/or shading.
 - iii. Maximum holding capacity. Description of facility's maximum holding capacity based on minimum standard space requirements and number of animals housed in each holding area and the availability of qualified personnel as provided in the NMFS document, "*Policies and Best Practices: Standards for Rehabilitation Facilities*".
 - iv. Water Quality. Description of water, source, quality, and how it is maintained, including how water is tested and frequency of tests.
 - v. How the facility/rehabilitation area is secured from public access.
 - vi. Provisions for isolating marine mammals.
 - vii. How other wild and/or domestic animals will be kept isolated from marine mammals.
 - viii. How animals will be quarantined if necessary.

- b. Information on procedures for:
 - i. Food handling and sanitation.
 - ii. Human health and safety throughout the rehabilitation facility.
 - iii. How medical, husbandry, and other relevant records will be maintained for each animal. Samples of record forms are helpful.
 - iv. Efforts to reduce disease transmission.
 - v. Humane animal care, routine medical procedures, and euthanasia.

- c. Key Personnel. The prospective Participant should have and maintain one **Authorized Representative** and two primary animal care specialists, all with experience in marine mammal care and rehabilitation. One of these personnel should fulfill the role of the **Animal Care Supervisor** whom is responsible for overseeing prescribed treatments, maintaining hospital equipment, and controlling drug supplies. The person should be adequately trained to deal with emergencies until the veterinarian arrives, be able to direct the restraint of the animals, be responsible for administration of post-surgical care, and be skilled in maintaining appropriate medical records. It is important that the animal care supervisor should communicate frequently and directly with the attending veterinarian to ensure that there is a timely transfer of accurate information about medical issues. Ideally, this individual should be a licensed veterinary technician or an animal health technician who reports to, or is responsible to, the attending veterinarian. Additional personnel may be necessary, commensurate with the maximum holding capacity. Information regarding key personnel should also include:
 - i. Overview of staffing plan and capabilities for the rehabilitation facility (e.g., veterinarian technicians, food preparation, record keeping, volunteer/shift coordination, equipment, pool maintenance, etc.).
 - ii. Description of on-site experienced personnel who are caring for the animals, including resumes or CVs of all key personnel and documentation of relevant training.
 - iii. Description of how new personnel and volunteers are trained and monitored.
 - iv. Veterinary Support. The prospective Participant should identify an attending veterinarian and identify at least one backup veterinarian for when the attending veterinarian is not available. Requests should provide documentation of the veterinarian's background, experience, and licensing.

2. Contingency Plans. A copy of contingency plans for protecting or relocating marine mammals in rehabilitation in case of events such as hurricanes or other natural disasters, unusual mortality events, hazardous waste spills, fire, or planned events such as construction.
3. Copies of all applicable Federal, state, and local permits for rehabilitation facilities.
4. General plans for release and post-release monitoring of marine mammals in rehabilitation, including:
 - i. How animals will be assessed for release determinations and who makes the assessment.
 - ii. How the prospective Participant will follow the NMFS Interim Standards for Release of Rehabilitated Marine Mammals (available on the following website: <http://www.nmfs.noaa.gov/pr/health/eis.htm>).
 - iii. How prospective Participant will conduct tagging, release, and post-release monitoring.
5. Resources. Sufficient physical and financial resources to maintain appropriate animal care for the duration of rehabilitation, including costs associated with release (e.g., long term rehabilitation, transport to release site, post release monitoring) or transport to another facility.

5.2 Qualifications for Article V Authorization

Requests should be evaluated based on the following:

1. Key personnel should have experience or comparable training in all aspects of marine mammal rehabilitation. Requests should address key personnel qualifications for each evaluation criteria below:
 - a. Experience or education leading to an understanding of the life history, behavior, biology, physiology, and animal husbandry of applicable marine mammals.
 - b. Familiarity with NMFS Interim Rehabilitation Standards, NMFS Interim Standards for Release of Rehabilitated Marine Mammals, and applicable regulations.
 - c. Experience in a supervisory role rehabilitating a minimum of three separate rehabilitation cases (Note: Multiple animals in rehabilitation from a mass stranding are considered to be one case).
 - d. Ability to humanely restrain a marine mammal to conduct basic medical procedures such as: drawing blood from at least two sites, taking fecal, gastric, blowhole/nasal samples, morphometrics, weighing, injections, and tubing.

- e. Experience maintaining and operating a facility/pool for marine mammal care, including familiarity with maintaining proper water quality.
 - f. Ability to supervise and coordinate on-site personnel and volunteers.
 - g. Ability to conduct necropsies.
 - h. Experience with record keeping, such as food intake records, daily behavioral records, medical records, and water quality records (e.g., water temperature, salinity, etc.).
 - i. Knowledge of how to design and conduct a behavior ethogram (preferred but not required).
2. Attending veterinarians should meet the following criteria:
- a. Have an active veterinary license in the United States (means a person who has graduated from a veterinary school accredited by the American Veterinary Medical Association Council on Education, or has a certificate issued by the American Veterinary Graduates Association's Education Commission for Foreign Veterinary Graduates), or has received equivalent formal education as determined by NMFS Administrator (adapted from the Animal Welfare Act Regulations 9 CFR Ch. 1).
 - b. Assume responsibility for diagnosis, treatment, and medical clearance for release or transport of marine mammals in rehabilitation (50 CFR 216.27).
 - c. Ability to provide a schedule of veterinary care that includes a review of husbandry records, visual and physical examinations of all the marine mammals in rehabilitation, and a periodic visual inspection of the facilities and records.
 - d. Be available on a 24-hour basis to answer veterinary-related questions, and be available in case of an emergency.
 - e. Ability to perform routine diagnostic and medical procedures on the type of marine mammal most often admitted to the rehabilitation facility (e.g., draw blood, give injections, etc).
 - f. Have marine mammal experience or be in regular consultation with a veterinarian who has marine mammal experience and have access to a list of expert veterinarians to contact for assistance.
 - g. *[Reserved. {Have documented one-year clinical experience working with marine mammals, or have a written consulting agreement with an experienced marine mammal veterinarian, which assures availability of consultation when needed.}]*
 - h. Ability to conduct full necropsy on marine mammals.
 - i. Have access to the most recent edition of the CRC "Handbook of Marine Mammal Medicine."

- j. Be familiar with and comply with the standards of veterinary care in the NMFS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release - Standards for Rehabilitation Facilities.
 - k. Have the appropriate registrations and licenses (e.g., registered with the Drug Enforcement Administration for handling controlled substances) to obtain the necessary medications for the animals housed at that rehabilitation facility.
 - l. Be knowledgeable of species-specific pharmacology.
 - m. Have provisions for performance of humane euthanasia.
 - n. Ability to write and submit timely disposition recommendations for marine mammals in rehabilitation.
 - o. Be knowledgeable of marine mammal zoonotic diseases and appropriate safety precautions.
3. A trained volunteer base sufficient to initiate and maintain adequate and appropriate marine mammal care and husbandry and implementation of veterinary direction.
 4. Knowledge of national, state, and local laws relating to live animal rehabilitation.
 5. Familiarity with, and a copy of, the most current version of the NMFS Interim Rehabilitation Facility Standards and Interim Standards for Release of Marine Mammals.

6. Evaluation Criteria for Designee Organizations

The purpose of a Designee organization is to assist the Participant with sub-region coordination, response, and/or rehabilitation capability within the Participant's geographic area of responsibility and under the Participant's oversight. If a Participant is proposing oversight of a Designee organization(s), the Participant [must] should provide evidence that the Designee organization has the skills, resources, and organizational capability to respond to dead/live stranded marine mammals [or rehabilitate marine mammals]. In some cases, it may not be possible for each proposed Designee organization to meet all of the evaluation criteria listed below. If this is the case, NMFS needs written assurance and details specifying how the prospective Participant will take responsibility for fulfilling specific qualifications lacking for the Designee organization.

6.1 Information for Designee Organizations for Articles III, IV, and V

1. For each proposed Designee organization, the Participant should provide the same information required in sections II through V.
2. Justification for Designee. The Participant should submit a justification for the geographic need, and enhancement of response capabilities provided by the Designee organization to the Participant.
3. Copy of a written and signed Agreement between the Participant and the Designee that includes a statement that the Designee organization has read and agreed to the terms of the Participants current Stranding Agreement.

6.2 Qualifications for Designee Organizations for Articles III, IV, and V

1. Each proposed Designee organization will be evaluated according to the same required qualifications listed in sections II through V.

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FINAL

POLICIES AND BEST PRACTICES

**MARINE MAMMAL STRANDING RESPONSE,
REHABILITATION, AND RELEASE**

STANDARDS FOR REHABILITATION FACILITIES

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February 2009

Standards for Rehabilitation Facilities

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Introduction

As part of the National Marine Fisheries Service (NMFS) Stranding Agreements, the Agency will require that all rehabilitation facilities meet the Minimum Standards presented in this document. The goal of this document is to set **MINIMUM** facility, husbandry, and veterinary standards for rehabilitating marine mammals in order to meet the prescribed NMFS Best Practices Marine Mammal Stranding Response, Rehabilitation, and Release - Standards for Release. Likewise some of the standards put forth in this document are based on the U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) Animal Welfare Act (AWA) regulations which define minimum standards for permanent captive marine mammals. However, there are some differences between the two documents in that these standards were developed for temporary care and all age groups. **RECOMMENDED** Standards are included in some sections, and consist of facility design and operational suggestions for optimizing the rehabilitation success rate. Meeting or exceeding the recommended standards may be considered a goal to strive towards when upgrading existing, or designing new facilities or protocols.

It is the intent of NMFS to provide a reasonable process for facilities to be upgraded to meet the minimum standards set forth in this document. Substandard facilities may be improved using funds that may be available through the John H. Prescott Rescue Assistance Grant Program (Prescott Grant). Likewise Prescott Grant funds may also be used to improve facilities that meet minimum standards with the goal to achieve or exceed the recommended standards.

Health and safety practices are highly stressed in this document. NMFS expects that all personnel and volunteers to be trained to the **HIGHEST LEVEL** of responsibility they are assigned. Rehabilitation facilities are encouraged to comply with Occupational Safety and Health Administration regulations.

Purpose

The purpose of rehabilitation is to provide humane care for stranded marine mammals and to optimize the success of releasing the animals back to the wild. Defining a successful release encompasses many factors. As mandated by Title IV Section 402 (a) of the Marine Mammal Protection Act, NMFS has developed guidance and criteria for release based on optimizing the chances for survival and minimizing the risk to wild populations (*NMFS/FWS BEST PRACTICES for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*). These facility standards have been developed to achieve the goals set forth by the Standards for Release.

This document is organized by taxa similar to the Standards for Release. While many aspects of rehabilitating cetaceans and pinnipeds that are the same, there are likewise many significant differences. Water quality, pool space and design, and handling debilitated animals are examples of the bigger differences between facility design and equipment required for rehabilitation of these animals. Rehabilitation of cetaceans requires more expensive facilities, as there must be larger, deeper pools available, salt water systems, and more elaborate filtration in closed system situations. While some facilities have adequate equipment and personnel to rehabilitate pinnipeds, they may not meet the standards required for the rehabilitation of cetaceans. Having two sets of guidelines allows NMFS the flexibility of issuing agreements specific to the types of animals that may be rehabilitated at each facility.

1. Standards for Cetacean Rehabilitation Facilities

1.1 Facilities, Housing, and Space

Pools for stranded cetaceans must be appropriate for the basic needs of the animal including keeping the skin moist, to providing buoyancy, and aiding thermoregulation. Debilitated cetaceans often cannot swim and may require assistance when first introduced to a rehabilitation pool. Cetaceans arriving in a debilitated condition may have needs requiring smaller pools than those that are able to swim and dive upon arrival. Choice of pool size may be important and is case specific. Although chances of survival may be improved if animals capable of swimming are given larger space, deeper pools may make it more difficult and stressful to catch an animal for feeding, hydration, and treatment. Likewise with multiple strandings, grouping animals by size, ability to swim, species, and health status may improve overall survival rates. Placing the larger, more robust animals in separate pools or swimming areas away from the smaller, less dominant and/or more debilitated animals may enhance the success of the rehabilitation efforts for the weaker animals. Species of cetaceans known to be social in nature should be housed with other compatible species. Social compatibility should be considered an important part of appropriate housing. Animals should be closely monitored when introduced to a pool and carefully evaluated for social compatibility.

It is up to the attending veterinarian, as defined in Section 1.7, and experienced rehabilitation staff, to decide how to house the animal most appropriately based on their observations and physical examination.

Each animal admitted to a rehabilitation center should be placed in a quarantine holding area and have a full health evaluation performed by the attending veterinarian. Sufficient quarantine time should be allowed for results from tests and cultures to be evaluated before the animal is placed with animals that are apparently disease free. Cetaceans with evidence of infectious disease must be quarantined (See Section 1.4 Quarantine).

During multiple or unusual stranding situations such as hazardous waste spills, catastrophic weather events, toxic algal blooms, or other events leading to unusually high morbidity, rehabilitation center personnel may need to adjust the number of animals that would be normally housed in each pool, bay or ocean pen. The attending veterinarian is responsible for assuring that the number of animals housed in one pool or pen will be appropriate based on the situation. The number of animals housed should be determined not only by the amount of pool space and size of the animals, but also by the number of qualified personnel available on a per animal basis. The recommended number of

personnel to animals less than 250 kg is 3:1 for critical care cetaceans; 2: 1 - 4 once stabilized, and 1:4 when animals are eating regularly and no longer require regular handling. Larger critical care cetaceans will require more personnel per animal.

Unweaned neonate cetaceans shall not be admitted for rehabilitation without prior approval of NMFS. Unweaned cetaceans, once rehabilitated, are frequently not suitable for release or require stringent release criteria to ensure humane treatment and a successful outcome. A rehabilitation facility needs to thoughtfully consider these types of cases when developing overall facility goals and objectives. If the facility aims to rehabilitate neonatal and/or unweaned calves, then they need to discuss and seek concurrence with NMFS options for final disposition since most of these cases will be nonreleasable. These issues need to be researched, outlined and NMFS approved prior to admitting any cases. The plan should include options and criteria for release if appropriate (e.g., release with mother), considerations for permanent care, and euthanasia.

NMFS Regulation, U.S.C. 50 CFR 216.27(c)(5) states that marine mammals undergoing rehabilitation shall not be subject to public display. The definition of public display under U.S.C. 50 CFR “is an activity that provides opportunity for the public to view living marine mammals at a facility holding marine mammals captive.” (See Section 1.13 Viewing).

1.1.1 Space Requirements for Pool, Bay, or Ocean Pens

MINIMUM STANDARD

- All pools or pens must be deep enough for animal(s) to float and submerge and shall be available for all rehabilitating cetaceans. The diameter and depth of the pool for critical care animals is at the discretion of the attending veterinarian.
- Pool depth for non-critical animals (animals able to swim unassisted) must equal one-half the body length or 0.9 meters (3 feet), whichever is greater.
- Pools shall have a minimum horizontal dimension (MHD) of 7.3 meters (24 feet) or two times the actual length of the largest species housed in the pool, whichever is greater.
- Animals housed longer than 6 months must be provided with pools at least 1.5 meters (5 feet) deep and must meet the USDA, APHIS AWA MHD standards unless otherwise directed by the attending veterinarian. This should be documented and justified with a signed veterinary statement in the medical records.

RECOMMENDED

- Pools shall have a depth equal to the body length or 1.8 meters (6 feet), whichever is greater.
- Pools shall have a minimum horizontal dimension of 9.0 meters (30 feet) or two times the average adult length of the largest species in the pool, whichever is greater.

1.1.2 Pool or Pen Design

Pools or pens designed to maximize the ease of handling, and to limit the amount of time the cetacean spends out of water for husbandry or veterinary procedures may help to decrease the stress of handling. Pools designed with a deep and a shallow end work well because the cetaceans may stay in the deep end while the pool level is dropped. The animal requiring treatment may be moved to the shallow end and immediately placed back in the deep end when the treatment has been completed. Pools equipped with a false bottom that can be lifted are ideal because the animal can be caught quickly without dropping the level of the pool water and the animal may be immediately returned to the pool once treatments have been completed. False bottoms in bay or ocean pens will facilitate capture, since there is no convenient way to drop the water level in those situations. Pools equipped with lift-bottoms and/or multi-level pools are recommended, however lift bottoms must be carefully designed when being retrofitted to existing pools.

Scoop-net or trampoline methods may also be used for capture, where a net is placed on the pool or pen bottom under the swimming animal and it is lifted by multiple personnel using tag lines. While this method is an inexpensive alternative to a false floor it may not be suitable for multiple or large animals.

New rehabilitation pools should be designed and constructed to minimize introduction of anthropogenic noise from life-support equipment or other sources. This can be accomplished through sloping of walls, insulation with soil or other materials around the sides of the pool and/or through isolation of noise-generating equipment. Existing pools that do not meet these specifications may be allowed, or a retrofit may be requested if the pools are substandard to the point of becoming an animal welfare issue.

MINIMUM STANDARD

- Any shape pool that meets minimum space standard
- Construction materials
 - Open water pens shall optimally be constructed of plastic or other rigid netting.

- If cotton or nylon netting material is used it must be small enough gage to prevent entanglement.

RECOMMENDED

- Pools with long axes that provide relief from constant turning while swimming
 - Pools designed to promote good water circulation and to minimize anthropogenic noise.
 - Single depth pool with false bottom that can be lifted
- OR
- Pool with a sloping bottom where the water level may be dropped in the shallow end to facilitate treatment
- OR
- Single or multi-depth pool with an adjoining “med pool” with a false bottom that can be lifted
- OR
- Ability to drop a pool in less than 2 hours and refill it to a “swimming level” in less than 30 minutes

1.1.3 Shelter, Shading, and Lighting

Rehabilitation facilities located where there is inclement weather need to provide shelter to rehabilitating animals that may be exposed to extreme heat or cold. Cetaceans held in rehabilitation facilities may not have normal activity levels and thin animals may be unable to thermoregulate properly. These animals may require shade structures to protect them from direct sunlight and extreme heat, or shelter to protect them from extreme cold.

Animals held in indoor facilities should be provided with appropriate light and dark photoperiods which mimic actual seasonal conditions. Light provided in indoor facilities shall be of sufficient intensity to clearly illuminate the pool.

MINIMUM STANDARD

- Shade structures or shelters must be provided to animals when local climatic conditions could compromise the health of the animal noting that some cetaceans undergoing rehabilitation may be unable to swim, dive, or thermoregulate, thus requiring either shelter from the elements or shade.
- Shade structures, where necessary, shall be large enough to provide shade to at least 50% of the MHD surface area determined for the species held in the pool. MHD is defined as 7.3 meters (24 feet) or two times the actual length of the largest species housed in the pool, whichever is greater.

- Lighting should be appropriate for the species.

RECOMMENDED

- Full spectrum lights or a natural source of lighting for animals housed indoors.
- Removable or adjustable shade structures in pens that are easily cleaned and that provide more natural sunlight to animals that are swimming and diving normally.

1.1.4 Critical Care Animals and Calves

Debilitated and ill cetaceans are often sedentary and tend to float at the surface for long periods of time. Some are unable to swim and dive. Some may require support in order to stay afloat enough to breathe regularly. Young calves may be weak and require assistance. Support may be provided by floatation devices attached to the animal or rehabilitation personnel supporting the animal utilizing a variety of methods. A shallow area that allows the animal to rest on the bottom while keeping its blowhole above the surface may also suffice. This shallow resting shelf must be of sufficient depth for larger animals (over 50 kg) to provide adequate buoyancy to prevent organ-crushing. Small cetaceans may also be supported in a stretcher that is hung within an open aluminum frame while maintaining the water depth at the midline of the animal. These animals must be protected from sun-related skin damage by providing them with shade or covering their exposed skin with an appropriate, non-desiccating sun block that allows proper thermoregulation. Exposed skin may be protected from desiccation with the use of emollients applied to the skin or a water spray.

MINIMUM STANDARD

- Ensure support is available via floatation devices, a shallow resting shelf, sloping beach, suspended stretcher system, or other support for critically ill or neonatal cetaceans that are weak and/or cannot swim normally.
- Monitor animals requiring support.
- Provide sufficient shade.
- Provide a water spray or method for keeping skin moist for cetaceans that cannot swim or dive.
- Control air temperature above the pool to facilitate recovery, protect rehabilitating animals from heat or cold extremes, and prevent discomfort. This may be achieved by heating or cooling the water appropriately for the species and condition of the animal and/or providing shelter from the elements.

1.1.5 Number of Animals Housed in Each Pool/Pen

During multiple or unusual mortality event (UME) strandings the number of cetaceans received by the facility is limited not only by the number and size of the holding pools or pens, but the number of qualified trained rehabilitation staff members available to care for the animals. Due to the intensive 24 hour assistance required for critical care cetaceans, a minimum of two qualified trained staff members are necessary for each and every dependent cetacean on the premises. The maximum number of animals maintained in each pool and onsite at the facility shall be determined by the attending veterinarian and dictated by the number of qualified staff available to care for the animals.

MINIMUM STANDARD

- Provide enough pool space for each animal to swim, dive, and maintain an individual distance of one body length from other animals housed in the same pool.
- Provide 2 qualified trained rehabilitation staff members for every critical care or dependent cetacean weighing less than 250 kg. Larger critical care cetaceans will require more personnel to handle each animal.
- Staff must be available on a 24-hour basis for critical animal care.
- Provide one trained staff member for every 3-4 cetaceans undergoing less critical periods of rehabilitation; during reconditioning or during counter-conditioning if training or desensitization was used for feeding stations, medical procedure desensitization or transport approximations.
- Provide one trained staff member for every five cetaceans that are eating regularly and do not require handling.

RECOMMENDED

- Provide enough pools or pool space to house multiple animals in accordance with the calculated space outlined in the APHIS AWA standards for captive cetaceans.
- Provide three qualified trained rehabilitation staff members for every critical care or dependent cetacean.
- Provide two trained staff members for every 1 – 4 cetaceans undergoing less critical periods of rehabilitation; during reconditioning; or prior to reintroduction.

1.1.6 Housekeeping

MINIMUM STANDARD

- Keep support buildings and grounds as well as areas surrounding rehabilitation pools clean and in good repair.
- Maintain perimeter fences in good repair, and ensure they are an adequate height and construction to keep people, animals, and pests out.
- Ensure primary enclosures housing marine mammals do not have any loose objects, sharp projections, and/or edges which may cause injury or trauma to the marine mammals contained therein.
- Objects introduced as environmental enrichment must be too large to swallow and made of non porous cleanable material that is able to be disinfected. Likewise items such as rub ropes shall be secured to prevent entanglement.
- All drains and overflows must have screened covers.
- Ensure there are no holes or gaps larger than ½ the size of the head diameter of the calf of the smallest species to be housed.

RECOMMENDED

- Coat all pool and haul-out surfaces with a non-porous, non-toxic, non-degradable cleanable material that is able to be disinfected.

1.1.7 Pest Control

MINIMUM STANDARD

- Establish and maintain a safe and effective program for the control of insects, avian and mammalian pests. This should include physical barriers to prevent feral and/or wild animals from contact with the rehabilitating animals.
- Insecticides or other such chemical agents shall not be applied in a primary enclosure housing marine mammals or a food preparation area except as authorized in writing by the attending veterinarian.
- If applied, all appropriate measures must be taken to prevent direct contact with the insecticide/pesticide, whether airborne or waterborne, by the animal.

1.1.8 Security for Facility

Stranded marine mammals often attract public attention and must be protected from excessive commotion and public contact. Ensuring a quiet stress-free environment for rehabilitating animals may improve their chance to recover and survive. Public viewing of marine mammals is discussed in Section 1.13 of this document.

MINIMUM STANDARD

- Locate rehabilitation facilities at sites that have the ability to be secured from the public.
- Prevent direct public contact with the rehabilitating animals but utilizing appropriate fencing, staff and security personnel.

RECOMMENDED

- Maintain 24- hour monitoring when animals are present or maintain a secure perimeter fence with the ability to lock the area off to the public when staff is not present.

1.2 Water Quality

Water quality is an essential part of keeping cetaceans healthy. Sick or debilitated cetaceans should be housed in pools filled with clean, appropriately treated saltwater to facilitate their recovery.

There are four basic types of water systems:

- Pools with filtration systems (closed systems)
- Pools without filtration systems (dump and fill systems)
- Pools with periodic influx of natural seawater (semi-open systems)
- Open water systems (flow-through pools, bay or sea pens)

There are a number of variables which will affect water quality. The number and size of cetaceans utilizing each pool will vary throughout the year at most rehabilitation facilities. During unusual stranding events the number of cetaceans utilizing one pool may increase dramatically, creating a heavier load of waste which must be handled by the filtration system in closed systems and by the amount of water flow-through in semi-open and open systems.

Filtration or life support systems are essential to maintaining clean water for animals held in closed or semi-closed systems. Life support systems have three basic parts; mechanical filters that remove solids, biological filters or baffles to remove or detoxify chemicals in the water, and disinfecting

methods to control or remove pathogens. In addition to maintaining clean water in the animal pools, these systems may be needed to treat waste water, depending on waste water disposal requirements. If a temporary increase in waste production overwhelms part or all of the life support system, a good water quality control program will require alternative options.

The source of water used in closed systems generally is fresh water obtained from municipal sources whereas water in open and semi-open systems comes from a bay or sea source. Municipal fresh water must have salt added to increase the salinity to appropriate levels to maintain cetaceans. Water in closed systems must be regularly filtered through sand and gravel filters to remove particulate matter, and disinfectants such as chlorine or bromine are added at appropriate levels to eliminate pathogens. More elaborate systems utilize ozone to oxidize pathogens in the water. The source should be independent of other rehabilitation and captive animal areas.

Factors that affect water quality are:

- Size of pool or pen
- Efficiency of filtration system or water flow-through rate (tides)
- Water turnover rate
- Number, size and species of animals housed in pool or pen
- Nature and amount of food consumed by animals in pool or pen
- Nature of bottom substrate
- Frequency of cleaning the pool
- Types, amounts, and the frequency with which chemicals are added to the system
- Temperature of the water
- Pathogens in the water
- Biotoxins in open water pens or in pools where the source water comes from the ocean or bay
- Contaminants (oil, pesticides, etc.) in open water pens
- Hazardous waste spills
- Inclement weather
- Sunlight contributing to algae production on pool surfaces, which in turn can support bacteria.

1.2.1 Source and Disposal of Water

The water source for cetaceans housed in closed or semi-closed systems may be municipal water, well water, or water brought into the facility from an adjacent body of water or estuary. The source should be independent of other rehabilitation and captive animal areas.

MINIMUM STANDARD

- Salt water must be readily available to fill pools housing rehabilitating cetaceans unless otherwise directed by the attending veterinarian.
- Fresh water must be available to clean and wash down surrounding areas.
- For pools without adequate filtration systems, drain water from pools daily or as often as necessary to keep the pool water quality within acceptable limits.
- Discharge wastewater in accordance with state or local regulations. Facility managers must seek appropriate authorization to dispose of waste water. Documents of authorization or necessary permits must be kept on site as part of the administrative record and may be requested by NMFS as part of the NMFS Stranding Agreement.
- Chemicals, when necessary, shall be added in appropriate amounts to disinfect the water or adjust the pH, but not added in a manner that could cause harm or discomfort to the animals.
- Have contingency protocols describing how water quality will be maintained during periods of peak animal use.

RECOMMENDED

- Enough salt water must be available to completely fill pools within two hours of draining.
- Maintain a filtration system designed to optimize water quality in each holding pool and decrease water waste.

1.3 Water Quality Testing

It is important to test the water in which the animals live on a regular basis. Coliform bacterial counts are used to monitor the efficiency of the filtration system to eliminate potentially harmful bacteria. Coliform counts should be done at least once per week and more frequently if there are very large or multiple animals utilizing the pool. While coliform numbers may be described as Most Probable Number (MPN) per 100 ml, a more accurate method of measuring coliforms is to determine the total coliform count, or the fecal coliform count.

Temperature of the water is especially important if the animal lacks the ability to thermoregulate. Water may require heating or chilling to aid debilitated animals in their ability to maintain optimal body temperature. Water temperature regulation is not feasible in open water pens, but keeping track of the water temperature in sea pens may aid the staff in making husbandry decisions.

If coliform counts or the water temperature become too high in any system, measures must be taken to correct the problem in a timely manner. A partial-to-total water change may be necessary to correct the problem in a closed or semi-closed system. If the coliform counts are considered too high in sea or bay pens, efforts should be made to circulate clean sea water through the pens using pumps, paddles or other methods of moving water.

Chemicals added to the water may damage eyes and skin, therefore levels must be monitored daily. Emergency chemicals should be on hand such as sodium thiosulfate in case of the accidental hyperchlorination of a system. Salinity may also have an impact on the health of the skin and eyes, as well as the comfort level of the animal, and should be monitored regularly.

1.3.1 Water Quality Tests

MINIMUM STANDARD

- Measure coliform growth weekly.
- Total coliform counts must not exceed 500 per 100 ml or a MPN of 1000 coliform bacteria per 100 ml water. Fecal coliform counts are not to exceed 400 per 100 ml.
- If the above tests yield results that exceed the allowable bacterial count, then two subsequent samples must be taken to repeat the test(s) where the level(s) is/are exceeded. The second sample is to be taken immediately after the initial test result, while the third sample would be taken within 48 hours of the initial test.
- If the averaged value of the three test results still exceeds the allowable bacterial counts, the condition must be corrected immediately or the animals must be moved to a contingency facility.
- Maintain pH between 6.5 and 8.5.
- Maintain salinity between 24 - 35 ppt.
- Maintain the temperature of the water so that it falls within parameters appropriate for the species.
- Measure oxidant levels in systems which require use of a chemical disinfectant and/or ozone in the system (for closed systems).

RECOMMENDED

- Maintain pH between 7.2 and 8.2.
- Total Coliforms with blanks and controls, fecal Coliform, fecal Strep, and yeast count performed at least weekly.

1.3.2 Frequency of Testing in Closed, Semi-Open, or Open Systems

MINIMUM STANDARD

- Measure water temperature, pH, salinity, chemical additives (if applicable) daily in all pools.
- Measure coliform counts weekly; and more frequently at the discretion of the attending veterinarian.

RECOMMENDED

- If ozone systems are used, measure ozone levels regularly in the animal pools. Ozone levels shall not exceed 0.02 mg/liter.
- Test source and discharge water at least once per day or more frequently for “flow through” systems.
- Maintain records for tests with time, level and results – reviewed and signed monthly by the attending veterinarian or the animal care supervisor.

1.3.3 Chemical Additives

Total chlorine = Free chlorine + Combined chlorine.

MINIMUM STANDARD

- Maintain total chlorine below 1.5 ppm, where the combined chlorine shall not exceed 50% of the total chlorine
- All additives must be recorded
- pH may be adjusted chemically – for example – pH may be raised with sodium carbonate, or soda ash; or lowered with HCl or CO₂; but not added in a manner that could cause harm or discomfort to the animals.
- Maintain Material Safety Data Sheet (MSDS) information and signage as well as appropriate handling equipment for the addition of chemicals.

1.3.4 Water Circulation

The amount of water turnover through the filtration system in a closed or semi-open system is important to maintain water quality by removing organic waste and particulate matter. Likewise the amount of water movement through an open water pen is also important in the maintenance of water quality. Generally, adequate tidal action will result in the equivalent of two complete water changes per day.

MINIMUM STANDARD

- Maintain sufficient turnover of water through the filtration system in closed or semi-open systems to keep the water quality at or above acceptable limits, with a minimum of two complete water changes per day.
- Ensure methods for moving water (water paddles, pumps, spray devices) are available to aerate and move water in open water pens with insufficient flow of tides or water through the enclosures. These methods should be sufficient to provide the equivalent of two water changes per day.

RECOMMENDED

- A minimum full water turnover rate of every four hours for each pool in closed or semi-open systems.

1.3.5 Salinity

Acceptable salinity levels are dependant on the species and condition of the cetacean and the duration of the stay. Most species of cetaceans require a salinity level greater than 24 ppt in order to maintain healthy skin and eyes. Occasionally the attending veterinarian may chose to house the cetacean in fresh or nearly fresh water for a period not exceeding 3 days. Reasons for maintaining cetaceans in fresh or brackish water should be noted in the veterinary record and signed by the veterinarian. Some species of cetacean are better adapted to live in brackish water and may do well in lower salinity levels than other species.

MINIMUM STANDARD

- Maintain salinity levels over 24 ppt unless a written veterinary plan calls for lower salinity levels, or if the animals are housed in sea pens nearby their resident range.

RECOMMENDED

- Ideal salinity levels should approach natural ocean salinity levels (30 – 33 ppt) but acceptable industry standards suggest maintaining cetaceans in water with salinity levels over 24 ppt.

1.3.6 pH

MINIMUM STANDARD

- Maintain pH in a range between 6.5 to 8.5.

RECOMMENDED

- Maintain pH between 7.2 –8.2.

1.3.7 Water Temperature

Many species of cetaceans are adapted to maintain normal body temperatures when living in a broad range of water temperatures. Healthy *Tursiops* have been housed successfully in water ranging from 50° to 80° F. Atlantic white-sided dolphins fail to thrive in water over 80° F and North Atlantic harbor porpoise do best in 45 to 65° F. Some warmer water species, such as a Vaquita, will require consistent warm water environments. It is therefore important to know if the species being rehabilitated comes from a polar, temperate or tropical climate. It is of equal importance to know the temperature range of water in their primary habitat. Young, underweight, and debilitated animals may also require warmer water than found in their primary habitat.

Cetaceans such as bottlenose dolphins adjust their blubber thickness seasonally in response to water temperature. This must be considered when readying rehabilitated animals for release. Therefore animals should be acclimated to an appropriate seasonal water temperature prior to release.

MINIMUM STANDARD

- Hold water temperatures within the normal seasonal habitat temperature range for the species under rehabilitation unless otherwise authorized by the attending veterinarian in writing.
- Provide methods to heat and maintain warm water environments for species that require it, or for debilitated individuals that are incapable of maintaining appropriate body temperature.
- Monitor the temperature of water being heated or cooled.
- Design water systems to minimize the chance of rehabilitating cetaceans from becoming hyperthermic or hypothermic.

RECOMMENDED

- Monitor blubber thickness ultrasonically.

1.4 Quarantine

Cetaceans brought to a rehabilitation facility have no medical history and may carry diseases communicable to other marine mammals, other animals, or humans. Likewise, these animals are often debilitated and may suffer from a variety of illnesses which may compromise their immune systems making them susceptible to diseases from other animals and/or the rehabilitation environment. Quarantine areas must be available and proper biosecurity protocols must be in place for all incoming animals at rehabilitation facilities.

Direct contact between the general public and cetaceans undergoing rehabilitation should be avoided because of the zoonotic risk from pathogens carried by marine mammals. There have been documented cases of *Brucella*, *Erysipelothrix*, and *Blastomyces* being passed from cetaceans to humans.

Listed on the following website are numerous other potentially zoonotic marine mammal pathogens (see <http://www.vetmed.ucdavis.edu/whc/mmz/>). See also: *2004 UC Davis Wildlife Health Center Report for the Marine Mammal Commission – Assessment of the Risk of Zoonotic Disease Transmission to Marine Mammal Workers and the Public: Survey of Occupational Risks.*

MINIMUM STANDARD

Maintain sufficient quarantine facilities and space for appropriate quarantine of incoming animals or for holding animals with contagious diseases.

1.4.1 Prevention of Animal to Animal Transmission of Diseases

- Quarantine all new animals in a separate dedicated quarantine area and provide pools that can be isolated with the use of dividers, tarps, or physical space from the rest of the animal housing areas.
- Have separate filtration and water flow systems for pools in quarantine/isolation areas.
- Use dedicated protective clothing for personnel.
- Use foot baths, glove baths, and methods to disinfect clothing, wet suits, or exposure suits between handling animals within quarantine area and outside of quarantine area.
- Maintain equipment and tools strictly dedicated to the quarantine areas.

- Provide dividers between pens and pools that prevent washdown or splash from moving from one pool to another.
- Provide sufficient space; ideally greater than 20 feet or 6 meters; or solid barriers between animal enclosures to prevent direct contact – including splashed pool water and airborne disease transmission.
- Ensure sufficient air turnover in indoor facilities to prevent transmission of disease. Air turnover should be enough to prevent build-up of heat or chemical fumes and provide a method of bringing fresh air into the facility. There should be sufficient venting or openings to allow movement of air throughout the facility.
- Implement specific quarantine and sanitation procedures to prevent transmission of disease through fomites (personnel, clothing, equipment).
- Thoroughly clean and disinfect buckets, hoses, scales, transport equipment, and cleaning equipment that is moved between animal areas to prevent transmission of pathogens via fomites.
- Place open water pens so effluent is not near water intake.
- Require evaluation and written veterinary approval before placing animals together after quarantine period has been met.

RECOMMENDED

- Provide separate air handling system in indoor facilities.
- Clean and disinfect quarantine pools between uses.

1.4.2 Prevention of Domestic Animal to Marine Mammal Transmission of Disease

- Ensure appropriate fencing and placement of holding pens prevents direct contact between rehabilitating cetaceans and domestic animals.
- Prohibit personal pets from entering the facility and facility grounds. Pets must stay outside the perimeter fence at all times.
- Place foot baths at the entry and exit of animal areas.
- Require quarantine and sanitation protocols are followed to prevent transmission of disease through fomites such as wet suits and equipment.

1.4.3 Prevention of Wild Animal to Marine Mammal Transmission of Disease

- Ensure perimeter fencing will prevent wildlife from entering the rehabilitation premises.
- Provide appropriate rodent and bird control on the premises. Ensure net pens and lagoon areas have sufficient secondary fencing to keep wildlife from coming in direct contact with the animals housed in the net pens.

1.4.4 Prevention of Marine Mammal to Domestic Animal Transmission of Disease

- Provide appropriate perimeter fencing.
- Require animal personnel to change contaminated clothing and/or disinfect before leaving the rehabilitation premises.
- Require that specific quarantine and sanitation procedures are taken to prevent transmission of disease through fomites such as clothing and equipment.

1.4.5 Prevention of Stranded Marine Mammal to Captive Marine Mammal Transmission of Disease

- Train volunteers and staff to follow appropriate quarantine protocols.
- Establish quarantine protocols that take into consideration the changing status of the stranded animal.
- Establish traffic flow so that volunteers or staff working with stranded animals do not inadvertently travel into a collection animal area.
- Establish decontamination protocols before volunteers or staff members exposed to stranded animals may enter a collection animal area.
- Establish separate restrooms, showers, changing rooms, food preparation areas, etc. for staff and volunteers working with rehabilitating vs. collection animals. Food for rehabilitating animals may be prepared in the collection animal kitchen and taken to the rehabilitation animal area, however any bucket, feed implement or other item must be thoroughly disinfected before it may return to the collection animal area.

1.4.6 Methods to Reduce Spread of Disease from Animals Housed in Open Sea/Bay Pen Systems

- Consideration of substrate, water depth and public access when selecting a site for a sea or bay pen.
- Placement of pens in a secluded area where wild animals and marine mammals are unlikely to come into direct contact with the animals housed in the sea/bay pens; nets should be sufficiently rigid to prevent entanglement by mammals or fish.
- Placing a second set of perimeter nets 10 meters from the sea/bay pens to prevent direct contact with wild marine mammals.
- Do not place sea/bay pens within 1000 meters of any major outflow of storm drains or sewage treatment plants and consider the flow direction or current from these major outflows.
- Place the sea/bay pens over 500 meters and downstream from water intake pipes that bring water into facilities that house marine mammals.
- Place pens in an area where there is ample flow-through of tides/currents.
- Ensure the pens are of sufficient size to minimize biomatter build-up. Each cetacean should be housed in a pen that has a minimum depth of half of their body length, and a minimum horizontal dimension of 24 feet or two full body lengths, whichever is greater.
- Avoid overcrowded pens. Animals may fight with each other when housed too closely together. Likewise they must be able to swim and dive normally to maintain optimal muscle condition.
- Have equipment to pump or aerate the water in pens that do not have sufficient tidal action to ensure a minimum of two complete water changes per day.
- Place pens in areas where there is sufficient depth to enhance water circulation and reduce pathogen build-up. Daily coliform testing will determine if pathogen build-up exists.
- Place quarantine pens such that tidal action or underwater currents will not flow through sea pens housing healthy animals.

1.4.7 Evaluation Requirements Before Placing Marine Mammals Together

- Complete blood count (CBC)/Chemistries, appropriate cultures, physical examination before moving animals out of quarantine area.
- Review current NMFS recommendations on diseases of concern (i.e. Morbillivirus) and reportable disease (i.e. Brucella and West Nile virus).

- Consider screening for morbillivirus, herpes virus, Brucella, Leptospira, and Toxoplasma utilizing the most current diagnostic tests available.
- If animals are part of a UME, then screening for diseases must be more thorough and in direct coordination with NMFS and through UME coordinators.
- Have contingency plan for animals that are carriers of or actively infected with reportable disease such as brucellosis, herpes virus, leptospirosis, toxoplasmosis, and morbillivirus.

1.4.8 Zoonotic Considerations

- Restrict public access and direct contact with cetaceans due to zoonosis potential and public health hazard of non-trained individuals interacting with sick and injured marine mammals.
- Train staff and personnel about how to prevent contracting zoonotic diseases (*Occupational and Safety Information for Marine Mammal Workers* <http://www.vetmed.ucdavis.edu/whc/mmz/>).
- Train staff and personnel working directly with stranded cetaceans how to recognize symptoms of zoonotic disease.
- Provide safety equipment such as protective clothing, eye protection and face masks.
- Provide eye flushing stations as used with hazardous materials (HAZMAT) or normal saline bottles to irrigate the eyes.
- Staff with open wounds shall not enter the pool of animals carrying potentially infectious diseases.
- Persons with disabilities, respiratory conditions, infectious diseases or infectious skin conditions shall not enter pools with rehabilitating cetaceans.
- Train staff the basics of sanitation and properly handling contaminated equipment.

1.4.9 Pre-Release Guidelines

- Pre-release health screens and serologic requirements are directed by the NMFS Regional Stranding Coordinator, in coordination with Marine Mammal Health and Stranding Response Program.

1.5 Sanitation

MINIMUM STANDARD

1.5.1 Primary Enclosure Sanitation

- Remove animal and food waste in areas other than the rehabilitation pool from the rehabilitation enclosure at least daily, and more often when necessary to prevent contamination of the marine mammals contained therein and to minimize disease hazards.
- Remove particulate animal and food waste from rehabilitation/exercise pools at least once daily, but as often as necessary to maintain water quality and to prevent increased health hazards to the marine mammals that use the pools.
- Remove trash and debris from pools as soon as it is noticed, to preclude ingestion or other harm to the animals.
- Clean the walls and bottom surfaces of the rehabilitation/exercise pools as often as necessary to maintain proper water quality.
- Prevent animals from coming in direct contact with disinfectants or aerosolized disinfectants from spray or cleaning hoses.

RECOMMENDED

- Empty and allow pools to dry once each year but dry and hyperchlorine pool bottoms and walls after each use by sick cetaceans.

1.5.2 Sanitation of Food Preparation Areas and Food Receptacles

- Use separate food preparation areas and supplies for rehabilitation vs. collection animals.
- Clean food containers such as buckets, tubs, and tanks, as well as utensils, such as knives and cutting boards, or any other equipment which has been used for holding, thawing or preparing food for marine mammals after each feeding with detergent and hot water and sanitize with an appropriate disinfectant approved for use in food areas at least once a day.
- Clean kitchens and other food handling areas where animal food is prepared after every use, and sanitize at least once weekly using standard accepted sanitation practices.
- Store substances such as cleaning and sanitizing agents, pesticides and other potentially toxic agents in properly labeled containers away from food preparation areas.
- Post MSDS “right to know” documents for staff utilizing cleaning and animal treatment chemicals and drugs.

1.6 Food, Handling, and Preparation

During rehabilitation food for marine mammals shall be wholesome, palatable, free from contamination, and of sufficient quantity and nutritive value to allow the recovery of the animals to a state of good health. Live fish may be fed during rehabilitation but preferences should be given to native prey species. Live fish may contain parasites which could infect compromised animals. Feeding regimens should simulate natural patterns in terms of frequency and quantity to the extent possible while following a prescribed course of medical treatment. Most cetaceans feed repeatedly during a given day.

1.6.1 Diets and Food Preparation

MINIMUM STANDARD

- Prepare the diets with consideration for age, species, condition, and size of marine mammals being fed.
- Feed cetaceans a minimum of three times a day, except as directed by a qualified veterinarian or when following professionally accepted practices.
- Diets reviewed by a nutritionist, attending veterinarian, or the animal care supervisor.
- Train staff to recognize good and bad fish quality.
- Feeding live fish may be required for release determination. See *NMFS /FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release* for more information regarding feeding live fish.
- Food receptacles should be cleaned and sanitized after each use. Food preparation and handling should be conducted so as to minimize bacterial or chemical contamination and to ensure the wholesomeness and nutritive value of the food.

RECOMMENDED

- Feeding patterns should simulate natural patterns in terms of frequency and quantity which may require food to be offered 5 – 10 times daily.

1.6.2 Food Storage and Thawing

MINIMUM STANDARD

- Frozen fish or other frozen food shall be stored in freezers which are maintained at a maximum temperature of 0° F (-18°C).

- The length of time food is stored and the method of storage, as well as the thawing of frozen food should be conducted in a manner which will minimize contamination and which will assure that the food retains optimal nutritive value and wholesome quality until the time of feeding.
- Freezers should only contain fish for animal consumption. Human food or specimens should not be placed in the fish freezer.
- Experienced staff should inspect fish upon arrival to ensure there are no signs of previous thawing and re-freezing, and check temperature monitoring devices in the transport container. The fish shipment should be refused or the fish discarded if temperature fluctuations occurred during transport.
- Freezers shall be of sufficient size to allow for proper stock rotation.
- All foods shall be fed to the marine mammals within 24 hours following the removal of such foods from the freezers for thawing.
- If the food has been thawed under refrigeration it must be fed to marine mammals within 12 hours of complete thawing.
- When fish is thawed in standing or running water, the coldest available running water must be used to prevent excess bacterial growth.
- To ensure optimal quality of the fish, and to prevent bacterial overgrowth, do not allow fish to reach room temperature or sit in direct sunlight.
- The thawed fish shall be kept iced or refrigerated until a reasonable time before feeding. This time will vary with ambient temperature.
- Prepared formula should be fed immediately or refrigerated and fed to the marine mammals within 24 hours of preparation. Formula, once heated to an appropriate temperature for a feed, shall be discarded if it is not consumed within one hour.

RECOMMENDED

- Calculate kilocalories of each type of fish or food items fed to each animal daily.
- Conduct food analysis for protein, fat and water content of each lot of fish used.
- Culture the slime layer from the fish lot prior to thawing for *Erysipelothrix*.

1.6.3 Supplements

MINIMUM STANDARD

- Each animal shall receive appropriate vitamin supplementation which is sufficient and approved in writing by the attending veterinarian.

1.6.4 Feeding

MINIMUM STANDARD

- Food, when given to each marine mammal individually or in groups, must be given by personnel who have the necessary training and knowledge to assure that each marine mammal receives and eats an adequate quantity of food to maximize its recovery or maintain good health. Such personnel is required to recognize deviations in each animal being rehabilitated such that intake can be adjusted and/or supplemented accordingly.

1.6.5 Public Feeding

MINIMUM STANDARD

- Public feeding of animals that are being rehabilitated is **strictly** prohibited.
- Feeding must be conducted only by qualified, trained personnel.

1.6.6 Feed Records

MINIMUM STANDARD

- Maintain feed records on each individual animal noting the actual (not an estimate) individual daily consumption for each animal by specific food type.
- If non-critical animals are housed in groups and are broadcast-fed, then daily individual food consumption estimates are acceptable
- Weigh food before and after each feeding and the record the amount consumed.
- Obtain body weight or girth measurements at least weekly from debilitated easily-handled animals. Girth measurements are taken at the level of the axilla and the anterior insertion of the dorsal fin. Girth measurements are generally less stressful to obtain than weighing the animal.
- Girth measurements or body weight should be obtained as often as practical in the later stages of rehabilitation without causing undue stress to the animal.

1.7 Veterinary Medical Care

All rehabilitation facilities shall have an attending veterinarian. The attending veterinarian is critically involved in making decisions regarding medical care as well as housing and husbandry of resident and newly admitted patients.

1.7.1 Veterinary Experience

MINIMUM STANDARD

The attending veterinarian shall:

- Assume responsibility for diagnosis, treatment, and medical clearance for release or transport of marine mammals in rehabilitation (50 CFR 216.27).
- Ability to provide a schedule of veterinary care that includes a review of husbandry records, visual and physical examinations of all the marine mammals in rehabilitation, and a periodic visual inspection of the facilities and records.
- Be available to examine animals on a regular schedule and emergency basis; daily if necessary.
- Be available to answer veterinary questions on a 24 hour basis.
- Have marine mammal experience or be in regular consultation with a veterinarian who has marine mammal experience and have access to a list of expert veterinarians to contact for assistance.
- Have an active veterinary license in the United States (means a person who has graduated from a veterinary school accredited by the American Veterinary Medical Association Council on Education, or has a certificate issued by the American Veterinary Graduates Association's Education Commission for Foreign Veterinary Graduates), or has received equivalent formal education as determined by NMFS Administrator (adapted from the Animal Welfare Act Regulations 9 CFR Ch. 1).
- Have the skills to be able to draw blood from, and give injections to the species most commonly encountered at the rehabilitation center.
- Be available to examine animals immediately upon admittance to a facility.
- Be available to assess animals during a mass stranding directly or indirectly through trained and qualified primary responders.
- Have contingency plan for veterinary backup.
- Have the appropriate registrations and licenses (e.g., registered with the Drug Enforcement Administration for handling controlled substances) to obtain the necessary medications for the animals housed at that rehabilitation facility.
- Be able to conduct a full post-mortem examination on all species of cetaceans treated at the facility.
- Be knowledgeable and able to perform cetacean euthanasia.
- Be knowledgeable about species-specific pharmacology.

- Must certify in writing that animals are fit for transport.
- Ability to write and submit timely disposition recommendations for marine mammals in rehabilitation.
- Be knowledgeable of marine mammal zoonotic diseases.

RECOMMENDED

All of the above plus:

- Membership in the International Association for Aquatic Animal Medicine.
- Have access to a current version of the CRC “Handbook of Marine Mammal Medicine”
- Complete a course that offers basic medical training with marine mammals such as Seavet, Aquavet, or MARVET.
- Have a minimum of one year of clinical veterinary experience post graduation.
- Have at least one year clinical experience working with the marine mammal type(s) most frequently admitted to the rehabilitation facility
- Be full time employees or contracted veterinarian experienced in cetacean medicine at facilities managing an average of 5 live cetacean cases per year.

1.7.2 Veterinary Program

MINIMUM STANDARD

- Veterinary care for the animals must conform with any State Veterinary Practice Act or other laws governing veterinary medicine which applies to the state in which the facility is located.
- Standard operating procedures should be reviewed and initialed by the attending veterinarian or the animal care supervisor annually and/or whenever the document is changed or updated. This document may be reviewed by NMFS as part of the NMFS Stranding Agreement or as part of inspections.
- Staff caring for animals should be sufficiently trained to assist with veterinary procedures under the direction of the veterinarian and the rehabilitation facility should maintain at least one **Animal Care Supervisor** who is responsible for overseeing prescribed treatments, maintaining hospital equipment, and controlling drug supplies. The person should be adequately trained to deal with emergencies until the veterinarian arrives, be able to direct the restraint of the animals, be responsible for administration of post-surgical care, and be skilled in maintaining appropriate medical records. It is important that the animal care supervisor should communicate frequently

and directly with the attending veterinarian to ensure that there is a timely transfer of accurate information about medical issues.

- Veterinary decisions shall be based on “best practices” (i.e., based on informed opinions and expertise of veterinarians practicing marine mammal medicine).
- A schedule of veterinary care which includes a review of husbandry records, visual and physical examinations of the animals, and a visual inspection of the facilities should be implemented.
- A health and safety plan for the staff shall be written and accessible at all times. It shall be reviewed by the attending veterinarian or the animal care supervisor annually or as prescribed by the NMFS Stranding Agreement. Also, it may be beneficial to consult with an occupational health medical professional when developing these plans. All animal care staff will be familiar with the plan. The plan shall include protocols for managing bite wounds.

The following reports may be requested annually by NMFS as required under the NMFS Stranding Agreement or as a part of inspections:

- Standard Operating Procedure (SOP) reviews
- Health and Safety Plan reviews
- Animal acquisitions and dispositions
- National Oceanic and Atmospheric Administration (NOAA) Form 89864, Office of Management and Budget (OMB) #0648-0178 (Level A data)
- NOAA Form 89878, OMB#0648-0178 (Marine Mammal Rehabilitation Disposition Report)
- Case summaries for any rehabilitation performed at a facility, including narrative descriptions of the cases as well as spreadsheets of treatments, blood values, etc.

1.8 Laboratory Tests and Frequency of Testing

Specific requirements for tests will be issued by the NMFS stranding coordinator (or UME Onsite Coordinator) in each region as outlined in the Marine Mammal Health and Stranding Response Program for release determinations, surveillance programs and UME investigations. Routine diagnostic sampling and testing protocols will be determined by the attending veterinarian. NMFS must be provided adequate time and information including a veterinary certificate of health before an animal is released as directed in 50 CFR 216.27 (see *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*).

1.8.1 Laboratory Testing

MINIMUM STANDARD

- CBC/Serum Chemistry- For most cases, all animals shall have a minimum of two blood samples drawn for CBC with differential and serum chemistry; upon admission and prior to release (see *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*). If duration of rehabilitation is shorter than a week, one blood workup may suffice and is at the attending veterinarian's discretion.
- Fecal analysis for parasites - Fecal tests for parasites shall be run upon admission of each animal at the discretion of the attending veterinarian.
- Serology as necessary for release determination based on direction of the NMFS stranding coordinator and the Marine Mammal Health and Stranding Program and for additional clinical diagnosis as deemed appropriate by the attending veterinarian.
- The administration of drugs with potential adverse side-effects may require additional testing. For example, the use of ototoxic antibiotics may require subsequent testing of hearing abilities of the animal prior to consideration for release.
- The attending veterinarian or a trained staff member shall perform a necropsy on every animal that dies within 24 hours of death if feasible. If necropsy is to be performed at a later date (ideally no longer than 72 hours postmortem), the carcass should be stored appropriately to delay tissue decomposition.
- Carcass disposal shall be handled in a manner consistent with local and state regulations.
- Perform histopathology on select tissues from each animal that dies at the discretion of the attending veterinarian. A complete set of all major tissues should be evaluated if the animal dies of an apparent infectious disease process.
- Culture and other diagnostic sampling shall be conducted as directed by the attending veterinarian to determine the cause of stranding or death.
- Contact NMFS for additional laboratory test requirements in all cases of unusual mortality outbreaks or disease outbreaks. More complete testing may be required for diseases of concern.
- For cases involving release decisions, unusual mortality investigations, or surveillance programs, serologic assays may only go to labs that have validated tests approved by NMFS, especially for release decisions or determinations. Guidance will be provided by the NMFS Stranding Coordinators or UME Onsite Coordinator.

- Notify the NMFS Stranding Coordinator of learning of any diseases of concern (e.g., emerging, reportable, and/or zoonotic diseases) that are detected and/or confirmed that could be a potential hazard for public health or animal health (NMFS will provide guidance on reportable diseases as it becomes available).
- NMFS must be provided adequate time and information (including veterinary certificate of health) before the animal is released in all cases as directed in 50 CFR 216.27 (see NMFS Standards for Release). This information is required under 50 CFR 216.27(a) and must be submitted 15 days prior to release unless advanced notice is waived by the NMFS Regional Administrator. Guidance on the waivers is provided in the *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*.

RECOMMENDED

- Complete necropsy performed by the attending veterinarian or a pathologist within 24 hours of death.
- Full histopathology done on tissues from each animal that dies of apparent infectious disease.
- Bank 1cc of serum per blood draw in -80° F freezer.
- Bank heparinized plasma (green top) tube in -80° F one per animal.
- Reproductive status shall be evaluated upon admission and prior to release through analysis of serum progesterone and estrogen levels in females, and testosterone in males. Elevated hormone values in females upon admission will require re-sampling within the first two weeks to assess pregnancy. Monitoring by means of monthly blood sample collection and analysis through the course of rehabilitation is strongly advised. If possible, sampling will be done in conjunction with ultrasonic examination of reproductive tracts.

1.9 Record Keeping and Data Collection

Record keeping is an essential part of the rehabilitation process. Not only do accurate and complete medical records for each stranded cetacean allow the staff to provide consistent and optimal care for each animal, but retrospective records help scientists and veterinarians to make better evaluations on how to treat individuals.

1.9.1 Record Keeping

MINIMUM STANDARD

- Record and report the “Marine Mammal Stranding Report - Level “A”.

- Complete the require NMFS Marine Mammal Rehabilitation Disposition Report NOAA 89-878, OMB #0648-0178.as in accordance with the NMFS Stranding Agreement
- Maintain and update individual medical records daily on each animal at the rehabilitation center.
- Individually identify each animal with unique field number.
- Keep an accurate description of the animal, including identification/tag number, date and location of stranding, sex, weight, and length at stranding.
- Subjective, objective, assessment and plan (SOAP) based records are preferred.
- Include food intake and medication administered to each animal in the daily records.
- Weight
 - a. Recorded weekly for underweight cetacean calves or as authorized in writing by the attending veterinarian.
 - b. Taken as often as possible for underweight animals without causing undue stress to the animal.
 - c. Recorded on admission and prior to release for larger cetaceans.
- Measure body weight, girths (axilla and anterior insertion of the dorsal fin) and standard straight-line and length upon admission, and within one week of release/placement.
- Measure blubber thickness (ultrasonically) at standard sites upon admission, and monitor monthly throughout the course of rehabilitation, with a goal of matching blubber to seasonal water temperatures.
- Weigh the animal as practical, keeping in mind that obtaining the weight of the animal may be stressful.
- Record all treatments, blood work, test and results and daily observations in the medical records.
- Maintain individual medical records for each animal. Medical records remain on site where the animal is housed and are available for NMFS on site review upon request as stated in the NMFS Stranding Agreement.
- Maintain medical records in an accessible format on site for a minimum of 15 years.
- Maintain up to date water quality records for a minimum of two years.
- Maintain life support system maintenance records.
- Maintain records of water quality additives.

RECOMMENDED

- Full set of standard morphometrics prior to release.
- Photographic documentation, identifying marks, lesions.

- Caloric value of daily food intake calculated and recorded for each animal each day
- Daily weight of calves or emaciated animals at the discretion of the attending veterinarian.
- Maintain food acquisition and analysis records.
- Maintain “paper copy” archive of required NMFS records.

1.9.2 Data Collection

MINIMUM STANDARD

- Written documentation of the medical history, food and observation records must be kept.
- NMFS Required Forms to be completed in writing or submitted electronically in the NMFS National Marine Mammal Stranding Database as prescribed in the NMFS Stranding Agreement:
 - a. Marine Mammal Stranding Report – Level A (NOAA 89-864, OMB #0648-0178)
 - b. Marine Mammal Rehabilitation Disposition Report (NOAA 89-878, OMB #0648-0178)

RECOMMENDED

- Computerized documentation with hard copies.
- Ability to network with other institutions.
- Maintain real-time accessible compiled comparative data.

1.10 Euthanasia Protocols

MINIMUM STANDARD

- Each institution must have a written euthanasia protocol signed by the attending veterinarian.
- Persons administering the euthanasia must be knowledgeable and trained to perform the procedure.
- Maintain a list of individuals authorized to perform euthanasia signed by the veterinarian.
- Euthanasia shall be performed in a way to minimize distress in the animal.
- Refer to resources such as the American Veterinary Medical Association Panel Report on Euthanasia, the CRC Press Handbook of Marine Mammal Medicine and American Association for Zoo Veterinarians Guidelines for Euthanasia of Nondomestic Animals.
- Appropriate drugs for euthanasia in appropriate amounts for the largest species admitted to the facility shall be maintained in stock on site in an appropriate lockbox or under the control of a licensed veterinarian with a current Drug Enforcement Administration (DEA) license.
- Drugs for euthanasia shall be kept with an accurate inventory system in place.

- DEA laws and regulations and any applicable State Veterinary Practice Acts must be followed when using controlled drugs.
- NMFS may request this information (protocols and DEA number) as part of the NMFS Stranding Agreement.

1.11 Health and Safety Plans for Personnel

There shall be a health and safety plan on site at each rehabilitation facility that identifies all health and safety issues that may be factors when working closely with wild marine mammals. The plan should identify all potential zoonotic diseases as well as including safety plans for the direct handling of all species and sizes of cetaceans seen at that facility. Rehabilitation facilities are encouraged to comply with Occupational Safety and Health Administration regulations.

MINIMUM STANDARD

- Identify all potential zoonotic diseases in a written document available to all personnel.
- Include safety plans for the direct handling of all species and sizes of cetaceans seen at that facility.
- Include safety plan for dealing with handling any untreated discharge water.

1.12 Contingency Plans

Contingency plans shall be in place at each facility and may be required by NMFS as part of the NMFS Stranding Agreement. NMFS may require approved variances or waivers prior to planned projects such as construction, and NMFS may not allow rehabilitation efforts to occur under some circumstances. These plans should address in detail the operation of the facility and care of the animals under the following conditions:

- Inclement weather plan, including a hurricane/big storm plans where appropriate.
- Construction in the vicinity of the animal rehabilitation pools recognizing the potential and documented adverse impacts of construction on cetaceans, and including specific reference to how noise, dust, debris, and construction worker access will be controlled, how and how frequently animal health will be monitored, and specific criteria for when construction shall be halted or the animals will be moved to another site out of the construction area if the animals appear to be adversely impacted.
- Power outages, including plans of how to maintain frozen fish stores and life support systems.

- Water shortages.
- “Acts of God” plan which may include floods, earthquakes, hurricanes or other unpredictable problems known to occur on occasion in the region where the facility is located.

1.13 Viewing

NMFS Regulation, U.S.C. 50 CFR 216.2(c)(5) states that marine mammals undergoing rehabilitation shall not be subject to public display. The definition of public display under U.S.C. 50 CFR is “an activity that provides opportunity for the public to view living marine mammals at a facility holding marine mammals captive”. Only remote public viewing or distance viewing should be allowed and only when there is no possible impact of the public viewing on the animals being rehabilitated. There is a regulatory requirement for a variance or waiver by NMFS for facilities planning to offer public viewing of any marine mammal undergoing rehabilitation.

1.14 Training and Deconditioning Behaviors

Basic behavioral conditioning of wild cetaceans for husbandry and medical procedure may be warranted during rehabilitation as long as every effort is made to limit reinforced contact with humans. Such conditioning may reduce stress for the animal during exams and acquisition of biological samples. Conditioning may assist with appetite assessment and ensuring that each animal in a group receives the appropriate amount and type of diet and medications.

In some cases, extensive contact with humans, including training, may benefit resolution of the medical case by providing mental stimulation and behavioral enrichment, and may facilitate medical procedures. The relative costs and benefits of training should be evaluated by the attending veterinarian and animal care supervisor and the likelihood of contact with humans following release should be considered. Seeking advice from a qualified cetacean behaviorist (with at least 3 years of experience) may be beneficial.

Behavioral conditioning of cetaceans must be done for the shortest time necessary to achieve rehabilitation goals and is to be eliminated prior to release such that association of food rewards with humans is diminished. If an animal has become accustomed to hand-feeding or boat-following, the animal may approach humans after release. Therefore, these behaviors should be deconditioned or counter-conditioned before the animals can be considered for release. Most behaviors will extinguish through lack of reinforcement, but some may require more concentrated efforts.

Training for research that is above and beyond the scope of normal rehabilitation practices can be approved on a case-by case basis under a NMFS scientific research permit. An exception can be made if the attending veterinarian, facility, and NMFS officials all agree that the research will not be detrimental to the animals' health and welfare and will not impede their ability to be successfully released back to the wild.

2. Standards for Pinniped Rehabilitation Facilities

2.1 Facilities, Housing, and Space

Pools for stranded pinnipeds must be appropriate for the basic needs of the animal including buoyancy and thermoregulation. Debilitated pinnipeds often cannot swim and will avoid water if offered, preferring a haul-out space to a pool. Pinnipeds arriving in a debilitated condition have different needs and may not require pools initially. If no pool is provided to the animal, means of keeping it wet and protected from direct sunlight is essential. The upper critical temperature of California sea lions is lower than most land-dwelling mammals at 24°C (75°F) and with limited thermoregulatory ability, they have special habitat needs in captivity. While dry sea lion coats absorb about 74% and wet California sea lion coats absorb almost 92% of all types of shortwave radiation respectively, a California sea lion with a wet coat exposed to direct sunlight could easily overheat on a hot day if there were no other method to cool the animal. (Langman *et al.*, 1996).

Social compatibility should be considered as a part of appropriate housing. Pinnipeds known to be social should be housed with compatible species whenever possible. Placing larger, more robust animals in separate pens, away from the smaller, weaker, or less dominant animals may enhance the success of the rehabilitation efforts for the weaker animals.

It is up to the attending veterinarian and experienced rehabilitation staff, to decide how to house the animal most appropriately based on their experience, observations, and physical examination.

Each animal admitted to a rehabilitation center should be placed in a quarantine holding area and have a full health evaluation performed by the attending veterinarian. Sufficient quarantine time should be allowed for results from tests and cultures to be evaluated before the animal is placed with animals that are apparently disease free. Pinnipeds with evidence of infectious disease must be held in separate areas from other rehabilitating animals to prevent transmission of disease. There should be sufficient isolation areas to accommodate incoming animals with evidence of disease utilizing methods to control aerosol and water-borne exposure to other on-site animals. (See Section 2.4 Quarantine).

During multiple or unusual stranding situations such as hazardous waste spills, catastrophic weather events, toxic algal blooms, or other events leading to unusually high morbidity or mortality, rehabilitation centers may need to adjust the number of animals that would be normally housed in each pen, pool, or bay or ocean pen. The attending veterinarian will be responsible for assuring that

numbers of animals housed in one pool or pen will be appropriate based on the situation. The number of qualified animal care personnel available to care for the animals could be a limiting factor on how many animals may be housed at each facility.

Care should be taken when hand rearing neonatal otariids, as some species frequently imprint on their caregivers rendering them unsuitable for release. A plan for placing animals in a permanent captive environment should be in place in advance for pinniped pups that are ultimately deemed unreleasable.

NMFS Regulation, U.S.C. 50 CFR 216.2(c)(5) states that marine mammals undergoing rehabilitation shall not be subject to public display. The definition of public display under U.S.C. 50 CFR is “an activity that provides opportunity for the public to view living marine mammals at a facility holding marine mammals captive” (See Section 2.13 Viewing).

2.1.1 Pool Requirements

MINIMUM STANDARD

- Pools shall be available for all pinnipeds under rehabilitation. Critical care animals may be temporarily held without water access at the discretion of the attending veterinarian.
- Critically ill animals or young pups are to be housed appropriately, with the pool size and depth as well as the dry resting area determined by the discretion of the attending veterinarian.
- Pools shall be deep enough for each animal to completely submerge, and shall be at least 0.76 meters or 2.5 feet deep. An exception to this would be temporary pools for young pups or debilitated animals.
- Pools shall be large enough in diameter to allow each animal housed therein to swim.

RECOMMENDED

- Pools shall have a MHD of 1 meter or 1.5 x the length of the largest animal utilizing the pool, whichever is larger.
- The minimum surface area of the pool for non-critical animals shall be at least equal to the dry resting area required by USDA, APHIS AWA standards, but using the actual length of the largest animal in the enclosure instead of the average adult length.
- The pool shall be at least 0.91 meters deep or one-half the actual length of the longest species contained therein, whichever is greater.

- If adult pinnipeds are commonly rehabilitated, facilities should be designed to accommodate the average number of adult-sized animals that strand each year, and have at least one pool and haul-out area that meet USDA APHIS AWA standards.

2.1.2 Dry Resting Area

MINIMUM STANDARD

- One non-critical animal; area of dry resting area = $1.2 \times (\text{length of the animal})^2$.
- Two non-critical animals; area of dry resting area = $1.5 \times (\text{length of the longest animal})^2$.
- Three or more animals in the same enclosure require the minimum space for two animals and, in addition, enough space for the animals to lay separately with at least one body length from one another, to turn around completely, and to move at least two body lengths in one direction.
- The facility must have a plan to manage adult males.
- Animals may be temporarily housed in smaller areas at the discretion of the veterinarian. The attending veterinarian should determine the minimum space which will be most appropriate for the age or medical condition of the animal.
- Critical care animals and young pups may be temporarily supplied smaller pools and less dry resting area.

RECOMMENDED

- One to two animals: $2 \times (\text{length of longest animal})^2$
- Three or more animals in the same enclosure: $(\text{length of each animal})^2 \times \text{number of animals in enclosure} = \text{number of square feet of required dry resting area (DRA)}$.

2.1.3 Pool or Pen Design

New rehabilitation pools should be designed and constructed to minimize introduction of anthropogenic noise from life-support equipment or other sources. This can be accomplished through sloping of walls, insulation with soil or other materials around the sides of the pool and/or through isolation of noise-generating equipment. A special exception may be granted by NMFS if existing pools do not meet these specifications and a retrofit is not feasible as long as animal welfare is maintained.

MINIMUM STANDARD

- Pools or pens shall be designed for ease of cleaning and handling the animals.

- Open water pens shall optimally be constructed of plastic or other rigid netting.
- If cotton or nylon netting material is used it must be small enough gage to prevent entanglement.

RECOMMENDED

- Pools designed to promote good water circulation and to minimize anthropogenic noise.
- Ability to drop a pool in less than 2 hours and refill it to a “swimming level” in less than 30 minutes or a false bottom or other method utilized for ease of capturing and treating pinnipeds.

2.1.4 Length of Stay and How it Affects Space

Facilities which handle adult animals that are kept for periods longer than six months but less than one year should meet USDA APHIS AWA standards. However the actual length of each animal may be used for each DRA calculation rather than the adult length. After one year, holding space must meet APHIS standards.

2.1.5 Shelter, Shading, and Lighting

Animals housed at rehabilitation facilities must be provided with shelter to provide refuge from extreme heat or cold. Pinnipeds held in rehabilitation facilities may not have normal activity levels and thin animals may be unable to thermoregulate properly. These animals may require shade structures to protect them from direct sunlight and extreme heat, or shelter to protect them from cold temperatures or inclement weather. Animals held in indoor facilities should be provided with appropriate light and dark photoperiods which mimic actual seasonal conditions. At the discretion of the attending veterinarian an exception to refuge from extreme cold during the pre-release conditioning phase may be made. Pinnipeds should be protected at all times from extreme heat.

MINIMUM STANDARD

- Provide shade structures or shelters to animals to aid thermoregulation when local climatic conditions could compromise the health of the animal.
- Provide shade and/or water spray to all pinnipeds that cannot swim and are housed in areas where ambient air temperatures reach > 80° F (26.6° C).
- Lighting in indoor facilities shall be appropriate for the species and shall clearly illuminate the DRA and pool during daylight hours.

RECOMMENDED

- All of the above and a source of natural or full spectrum light for animals housed indoors.
- Removable or adjustable shade structures that may be sanitized regularly in pens to provide more natural sunlight to animals that are swimming and diving normally.

2.1.6 Air Temperature

MINIMUM STANDARD

- Attention to ambient air temperature and humidity should be considered to facilitate recovery, protect rehabilitating animals from extremes of heat or cold, and to prevent discomfort.
- Method to raise or lower air temperature, as appropriate to maintain proper body temperature should be available. Access to full shade, constant water sprays and fans may be used for animals that have no access to pools during times when the ambient temperature exceeds 85°F (29.4°C). Likewise radiant heating devices or waterproof heating pads may be utilized when ambient temperatures fall below the comfort level of the animal, which will be determined by the species, age, medical condition, and body condition of the animal.
- Animals should be able to move away from point source heaters. If animals are too debilitated to move, temperature of heaters can not exceed the safe range of 60-80°F at skin surface or animals must be monitored every 2 hours.
- Large fans or “swamp coolers” available to move air across animals with no access to pools when ambient temperatures reach over 85°F (29.4°C).

RECOMMENDED

- Provide temperature-controlled shelter or holding space for critical care animals or pups.
- Monitor temperature of additional heaters such as heating pads infrared heaters and heat lamps.

2.1.7 HOUSING FOR CRITICAL CARE ANIMALS

Debilitated and ill pinnipeds are often sedentary and haul out or float at the surface of a pool for long periods of time. Young pups may be weak and require assistance moving in and out of pools. A shallow area that allows the animal to rest on the bottom with gradually sloping sides or a ramp equipped with a gripping surface to allow ease in entering and exiting the pool are considered optimal.

MINIMUM STANDARD

- Individual dry haul out space or individual enclosures shall be large enough to accommodate the most common species of pinnipeds rehabilitated routinely at the facility.
- Housing for critically ill animals that will provide shelter from the extremes of heat or cold, and will provide heat as appropriate for animals held in cold climates.
- Access to shallow water and/or water spray for all pinnipeds as advised by the attending veterinarian.
- Barriers sufficient to isolate incoming animals until the attending veterinarian determines them to be free from contagious disease (See Section 2.4 Quarantine).

RECOMMENDED

All of the above minimum standards, plus:

- Individual enclosures for each critical care animal where the dry resting area = (length of the animal)².
- Housing which provides optimal temperature control for critically ill animals (heating and/or air conditioning).

2.1.7 Housing of Pups

Pups of all species have special housing and management needs and require careful monitoring when introducing them to pools. Premature pups may require more time than full-term pups before introducing them to water.

MINIMUM STANDARD

Phocids less than 1 week old:

- Individual housing with fully supervised access to shallow water (< 0.5 meters deep) pools. Full supervision may stop when animals demonstrate ability to swim and haul out.

Otariids less than 3 weeks old:

- Individual housing or housing with similarly sized pups with fully supervised access to shallow water pools (<0.5 meters deep) Full supervision may stop when animals demonstrate ability to swim and haul out.

- Access to raised platforms in dry resting areas for pups of all ages at the discretion of the veterinarian. Critical or debilitated pups should not be required to lay on concrete or other hard/cold surfaces. Platforms must be low enough for easy access yet high enough to allow the floor to dry under platform. Platforms should be made of material with a sealed cleanable surface and designed to allow for waste to pass through.

RECOMMENDED

- All of the above and with pools designed with a gently sloping side/beach area with “gripping surface” to allow pups to easily haul out without assistance.

2.1.8 Housing of Older Pups

Full term phocids greater than 1 week old and otariids greater than three weeks old

MINIMUM STANDARD

- House pups with similar conspecific age group.
- House pups as individuals or groups with frequent or constant access to deeper water (> 0.5 meters deep).
- Provide a platform or shallow shelf in each pool that allows pups to easily haul out on their own.
- Provide platforms in dry resting areas allowing critical or debilitated pups an alternative to laying on concrete or other hard/cold surfaces (as above).

RECOMMENDED

- Provide a pool designed with a gently sloping side leading to a level beach area that allows pups to easily haul out.

2.1.9 Number of Animals Housed in Each Pen/Pool

During UME strandings, the number of pinnipeds received by the facility is limited not only by the number and size of the holding pools or pens, but the number of qualified trained rehabilitation staff members available to care for the animals. The maximum number of animals maintained in each pool and onsite at the facility shall be determined by the attending veterinarian and dictated by the number of qualified staff available to care for the animals.

MINIMUM STANDARD

- Provide a minimum of three qualified trained rehabilitation staff members on site for the first 25 pinnipeds housed at the facility, and two more trained rehabilitation staff members for every additional 25 pinnipeds. More staff will be required when animals are housed simultaneously in quarantine holding and recovering animal holding areas. Dependant pups are more labor intensive and require more staffing. Staff must be available on a 24-hour basis for critical animal care.

2.1.10 Housekeeping

MINIMUM STANDARD

- Keep support buildings and grounds as well as areas surrounding rehabilitation pools clean and in good repair.
- Maintain perimeter fences in good repair, and ensure they are an adequate height and construction to keep people and animals and pests out.
- Ensure primary enclosures housing marine mammals do not have any loose objects, sharp projections, and/or edges which may cause injury or trauma to the marine mammals contained therein.
- No holes or gaps larger than ½ the size of the head diameter of the pup of the smallest species to be housed.
- All drains and overflows must have screened covers.
- Objects introduced as environmental enrichment must be too large to swallow and made of non porous cleanable material.

RECOMMENDED

- Coat all pool and haul-out surfaces with a non-porous, non-toxic, non-degradable cleanable material that is able to be disinfected.

2.1.11 Pest Control

MINIMUM STANDARD

- Establish and maintain a safe and effective program for the control of insects, avian and mammalian pests. This should include physical barriers to help to prevent feral and/or wild animals from contact with the rehabilitating animals.

- Insecticides or other such chemical agents shall not be applied in a primary enclosure housing marine mammals or a food preparation area except as authorized in writing by the attending veterinarian.
- If applied, all appropriate measures must be taken to prevent direct contact with the insecticide/pesticide, whether airborne or waterborne, by the animal.

2.1.12 Security for Facility

Stranded marine mammals often attract public attention and must be protected from excessive commotion and public contact. Ensuring a quiet stress-free environment for rehabilitating animals may improve their chance to recover and survive. Public viewing of marine mammals is discussed in Section 2.13 of this document.

MINIMUM STANDARD

- Locate rehabilitation facilities at sites that are able to be secured from the public.
- Prevent direct public contact with the rehabilitating animals by utilizing appropriate fencing, staff and security personnel.

RECOMMENDED

- Maintain 24- hour monitoring when animals are present or maintain a secure perimeter fence with the ability to lock the area off to the public when staff is not present.

2.2 Water Quality

There are four basic types of water systems:

- Pools with filtration systems (closed systems)
- Pools without filtration systems (dump and fill systems)
- Pools with periodic influx of natural seawater (semi-open systems)
- Open water systems (Bay or sea pens).

There are a number of variables which will affect water quality. The number and size of pinnipeds utilizing each pool will vary throughout the year at most rehabilitation institutions. During the busy season or during unusual stranding events, the number of pinnipeds utilizing one pool may increase dramatically creating a heavier load of waste which must be handled by the filtration system in closed systems and by the amount of water flow-through in semi-open and open systems. A life support

system is used as one tool in a program of water quality maintenance to provide safe and clean water to the animals.

Filtration or life support systems are essential to maintaining clean water for animals held in closed or semi-closed systems. Life support systems have three basic parts; mechanical filters that remove solids, biological filters or baffles to remove or detoxify chemicals in the water, and disinfecting methods to control or remove pathogens. In addition to maintaining clean water in the animal pools, these systems may be needed to treat waste water, depending on waste water disposal requirements. If a temporary increase in waste production overwhelms part or all of the life support system, a good water quality control program will require alternative options.

Water used in closed systems generally is fresh water obtained from municipal sources, whereas water in open and semi-open systems comes from a bay or sea source. Water in closed systems must be regularly filtered through sand and gravel filters to remove particulate matter, and disinfectants such as chlorine or bromine may be added to eliminate pathogens. More elaborate systems utilize ozone to oxidize pathogens in the water. The source should be independent of other rehabilitation and captive animal areas.

Factors that affect water quality are:

- Size of pool or pen
- Efficiency of filtration system or water flow-through rate (tides)
- Water turnover rate
- Number, size and species of animals housed in pool or pen
- Type and amount of food consumed by animals in pool or pen
- Nature of bottom substrate
- Frequency of cleaning the pool
- Types, amounts, method and the frequency with which chemicals are added to the system
- Temperature of the water
- Pathogens in the water
- Biotoxins in open water pens or in pools where the source water comes from the ocean or bay
- Contaminants (oil, pesticides, etc.) in open water pens
- Hazardous waste spills
- Inclement weather
- Sunlight contributing to algae production on pool surfaces, which in turn can support bacteria.

2.2.1 Water Source and Disposal

The water source for pinnipeds housed in closed or semi-closed systems may be municipal water, well water, or water brought into the facility from an adjacent body of water or estuary. The source should be independent of other rehabilitation and captive animal areas.

MINIMUM STANDARD

- Fresh or salt water must be readily available to fill pools, and fresh water to clean and wash down holding pens daily.
- Drain water as often as necessary to keep the pool water quality within acceptable limits.
- Discharge waste water in accordance with state or local regulations. Facility managers must seek appropriate authorization to dispose of waste water. Documents of authorization or necessary permits must be kept on site as part of the administrative record and may be requested by NMFS as part of the NMFS Stranding Agreement.
- Chemicals, when necessary, shall be added in appropriate amounts to disinfect the water or adjust the pH, but not added in a manner that could cause harm or discomfort to the animals.
- Have contingency protocols describing how water quality will be maintained during periods of peak animal use.
- Water will be clear enough to see animals and bottom of pool and free from obvious solid waste and noxious odors.

RECOMMENDED

- Fresh or ideally salt water must be available to fill pools within two hours of draining.
- Maintain a filtration system designed to optimize water quality in each holding pool and decrease water waste.
- Ability to dechlorinate fresh water for species which require this (i.e., fur seals).
- Protocols in place for maintenance of water quality throughout the year.
- Testing of source and discharge water.

2.3 Water Quality Testing

It is important to test the water in which the animals live on a regular basis. Coliform bacterial counts are used to monitor the efficiency of the filtration system to eliminate potentially harmful bacteria. Coliform counts should be done at least once per week and more frequently if there are very large or multiple animals utilizing the pool. While coliform numbers may be described as Most Probable

Number (MPN) per 100 ml, a more accurate method of measuring coliforms is to determine the total coliform count, or the fecal coliform count.

Temperature of the water is especially important if the animal lacks the ability to thermoregulate. Water may require heating or chilling to aid debilitated animals in their ability to maintain optimal body temperature, although debilitated pinnipeds are likely to haul out, in such case the water temperature becomes less important. Water temperature regulation is not feasible in open water pens, but keeping track of the water temperature in sea pens may aid the staff in making husbandry decisions. If coliform numbers or the water temperature becomes too high in any system, measures must be taken to correct the problem in a timely manner. A partial-to-total water change may be necessary to correct the problem in a closed or semi-closed system. If the coliform counts are considered too high in sea or bay pens, efforts should be made to circulate clean sea water through the pens using pumps, paddles or other methods of moving water.

Chemicals added to the water may damage eyes and skin and must be monitored daily. Salinity, when utilized for rehabilitating pinnipeds, may also have an impact on the health of the skin and eyes, as well as the comfort level of the animal, and should be monitored regularly. Emergency chemicals should be on hand such as sodium thiosulfate in case of the accidental hyperchlorination of a system.

2.3.1 Water Quality Tests

MINIMUM STANDARD

- Measure coliform growth weekly, unless pools are dumped and filled daily.
- Total coliform counts must not exceed 500 per 100 ml or a MPN of 1000 coliform bacteria per 100 ml water. Fecal coliform counts are not to exceed 400 per 100 ml.
- If the above tests yield results that exceed the allowable bacterial count, then two subsequent samples must be taken to repeat the test(s) where the level(s) is/are exceeded. The second sample is to be taken immediately after the initial test result, while the third sample would be taken within 48 hours of the initial test.
- If the averaged value of the three test results still exceeds the allowable bacterial counts, the condition must be corrected immediately or the animals moved to a contingency facility.
- Maintain pH between 6.5 and 8.5.
- Maintain the temperature of the water so that it falls within parameters appropriate for the species, generally between 50-80°F.

- Measure oxidant levels in systems which require use of a chemical disinfectant and/or ozone in the system (for closed systems).

RECOMMENDED

- Maintain pH between 7.2 to 8.2.
- Total Coliforms with blanks and controls, fecal Coliform, fecal Strep, and yeast count performed weekly or as needed.

2.3.2 Frequency of Testing in Closed, Semi-open, or Open Systems

MINIMUM STANDARD

- Measure water temperature, pH, salinity (if applicable), chemical additives (if applicable) daily in all pools.
- Measure coliform counts weekly; and more frequently at the discretion of the attending veterinarian.

RECOMMENDED

- If ozone systems are used, measure ozone levels regularly in the animal pools. Ozone levels shall not exceed 0.02 mg/liter.
- Test source and discharge water at least once per day (more frequently for “flow through” systems).
- Maintain records for tests with time, level and results – reviewed and signed monthly by the attending veterinarian or animal care supervisor.

2.3.3 Chemical Additives

Total chlorine = Free chlorine + combined chlorine.

MINIMUM STANDARD

- Maintain total chlorine below 1.5 ppm, where the combined chlorine shall not exceed 50% of the total chlorine.
- All additives must be recorded.
- pH may be adjusted chemically – for example – pH may be raised with sodium carbonate, or soda ash; or lowered with HCl or CO₂; but not added in a manner that could cause harm or discomfort to the animals.

- Maintain MSDS information and signage as well as appropriate handling equipment for the addition of chemicals.

2.3.4 Water Circulation

The amount of water turnover through the filtration system in a closed or semi-open system is important to maintain water quality by removing organic waste and particulate matter. Likewise the amount of water movement through an open water pen is also important in the maintenance of water quality. Generally, adequate tidal action will result in the equivalent of two complete water changes per day.

MINIMUM STANDARD

- Maintain sufficient turnover of water through the filtration system in closed or semi-open systems to keep the water quality at or above acceptable limits, with a minimum of two complete water changes per day.
- Ensure methods for moving water (water paddles, pumps, spray devices) are available to aerate and move water in open water pens with insufficient flow of tides or water through the enclosures. These methods should be sufficient to provide the equivalent of two water changes per day.

RECOMMENDED

- A minimum full water turnover rate of every four hours for each pool in closed or semi-open systems.

2.3.5 Salinity

Pinnipeds under rehabilitation may be housed in fresh water. However salinity may play a part in eye health, may enhance wound healing, or may be desirable in some other instances. In some cases animals will drink fresh water which may aid in rehydration. Placing animals in water of appropriate salinity shall be left to the discretion of the animal care supervisor and staff in consultation with the attending veterinarian.

2.3.6 pH

MINIMUM STANDARD

- pH shall be held in a range between 6.5 to 8.5.

RECOMMENDED

- Maintain pH between 7.2 to 8.2.

2.3.7 Water Temperature

MINIMUM STANDARD

- Hold water temperatures within the normal habitat temperature range for the species under rehabilitation or as authorized in writing by the attending veterinarian.
- Provide methods to heat and maintain warm water environments for species that require it, or for debilitated or critically ill individuals that are incapable of maintaining appropriate body temperature.
- Monitor temperature of water being heated or cooled.

2.4 Quarantine

Pinnipeds brought to a rehabilitation facility have no medical history and may carry diseases communicable to other marine mammals, other animals, or humans. Likewise, these animals are often debilitated and may suffer from a variety of illnesses which may compromise their immune systems making them susceptible to diseases from other animals. Quarantine areas must be available and proper biosecurity protocols must be in place for all incoming animals at rehabilitation facilities.

Direct contact between the general public and pinnipeds undergoing rehabilitation should be avoided because of the zoonotic risk of some organisms carried by marine mammals. There have been documented cases of Brucella, Leptospira, Mycoplasma (Seal Finger), San Miguel Sea Lion Virus, Influenza A, and Sealpox, being passed from pinnipeds to humans.

Listed on the following website are numerous other potentially zoonotic marine mammal pathogens (see <http://www.vetmed.ucdavis.edu/whc/mmz/>). See also: *2004 UC Davis Wildlife Health Center Report for the Marine Mammal Commission – Assessment of the Risk of Zoonotic Disease Transmission to Marine Mammal Workers and the Public: Survey of Occupational Risks.*

2.4.1 Prevention of Animal to Animal Transmission of Diseases

MINIMUM STANDARD

- Quarantine all new animals in a separate dedicated quarantine area and provide pens/pools that can be isolated with the use of dividers, tarps, or physical space from the rest of the animal housing areas. Animals that are admitted in groups may be quarantined together.
- Provide dividers between pens and pools that prevent washdown or splash from moving from one pool or pen to another.
- Use dedicated protective clothing for personnel- including gloves, eye shields, safety glasses, and/or eye wash stations.
- Use foot baths, glove baths, and methods to disinfect clothing between handling animals within quarantine area and outside of quarantine area.
- Maintain equipment and tools strictly dedicated to the quarantine area or thoroughly disinfect.
- Provide sufficient space or solid-surfaced barriers between animal enclosures to prevent direct contact between animals.
- Provide sufficient air turnover in indoor facilities to prevent transmission of disease. Air turnover should be enough to prevent build-up of heat and provide a method of bringing fresh air into the facility. There should be sufficient venting or openings to allow movement of air throughout the facility.
- Implement specific quarantine and sanitation procedures to prevent transmission of disease through fomites (e.g., clothing, equipment):
 - Thoroughly clean and disinfect buckets, hoses, scales, transport equipment, and cleaning equipment that is moved between animal areas to prevent transmission of pathogens via fomites.
- Place open water pens so effluent is not near water intake.
- Require evaluation and written veterinary approval before placing animals together after quarantine period has been met.

RECOMMENDED

- Provide separate air handling system in indoor facilities.
- Separate entries to quarantine areas with no crossover with the rest of the facility.
- Clean and disinfect quarantine areas between uses.

2.4.2 Prevention of Domestic Animal to Marine Mammal Transmission of Disease

- Ensure appropriate fencing and placement of holding pens to prevent direct contact between rehabilitating pinnipeds and domestic animals.
- Prohibit personal pets within outermost perimeter of facility.
- Require that specific quarantine and sanitation procedures are taken to prevent transmission of disease through fomites such as clothing and equipment.
- Use dedicated carriers for pinnipeds – carriers should not be used for other mammals or birds unless they are thoroughly scrubbed and disinfected between uses.

2.4.3 Prevention of Wild Animal to Marine Mammal Transmission of Disease

- Ensure perimeter fencing will deter wildlife from entering the rehabilitation premises.
- Provide rodent control on the premises.
- Ensure net pens and lagoon areas have sufficient secondary fencing to keep wild mammals from coming in direct contact with the animals housed in the net pens.

2.4.4 Prevention of Marine Mammal to Domestic Animal Transmission of Disease

- Provide appropriate perimeter fencing.
- Require animal personnel to change contaminated clothing and/or disinfect before leaving the rehabilitation premises.
- Require that specific quarantine and sanitation procedures are taken to prevent transmission of disease through fomites such as clothing and equipment.
- Follow appropriate release guidelines.

2.4.5 Prevention of Stranded Marine Mammal to Captive Marine Mammal Transmission of Disease

- Train volunteers and staff to follow appropriate quarantine protocols.
- Establish quarantine protocols that take into consideration the changing status of the stranded animal.
- Establish traffic flow so that volunteers or staff working with stranded animals do not inadvertently travel into a collection animal area.

- Establish decontamination protocols before volunteers or staff members exposed to stranded animals may enter a collection animal area.
- Establish separate restrooms, showers, changing rooms, food preparation areas, etc. for staff and volunteers working with rehabilitating vs. collection animals. Food for rehabilitating animals may be prepared in the collection animal kitchen and taken to the rehabilitation animal area, however any bucket, feed implement or other item must be thoroughly disinfected before it may return to the collection animal area.

2.4.6 Methods to Reduce Spread of Disease from Animals Housed in Open Sea/Bay Pen Systems

- Place pens in a secluded area where wild animals and marine mammals are unlikely to come into direct contact with the animals housed in the sea/bay pens.
- Place a second set of perimeter nets 30 feet from the sea/bay pens to prevent direct contact with wild marine mammals. Nets should be sufficiently rigid to prevent entanglement by mammals or fish.
- Do not place sea/bay pens within 1000 meters any major outflow sewage treatment plants and consider the flow direction or current from these major outflows.
- Place the sea/bay pens 500 meters and downstream from water intake pipes that bring water into facilities that house marine mammals.
- Place pens in an area where there is ample flow-through of tides/currents.
- Ensure the pens are of sufficient size to minimize biomatter build-up. Each pinniped should be housed in a pen that has a minimum depth of half of their body length, and a minimum horizontal dimension of two full body lengths.
- Avoid overcrowded pens. Animals may fight with each other when housed too closely together.
- Have equipment to pump or aerate the water in pens that do not have sufficient tidal action to ensure a minimum of two complete water changes per day.
- Place pens in areas where there is sufficient depth to enhance water circulation and reduce pathogen build-up. Weekly coliform testing will determine if pathogen build-up exists. Water circulation may be enhanced using water paddles.
- Place quarantine pens such that tidal action or underwater currents will not flow from quarantine pens through sea pens housing healthy animals.

2.4.7 Evaluation Requirements before Placing Marine Mammals Together

- CBC/Chemistries, appropriate cultures, physical examination before moving animals out of quarantine area and at the discretion of the attending veterinarian.
- Review current NMFS recommendations on diseases of concern and reportable disease such as morbillivirus.
- Consider screening for morbillivirus, herpes virus, brucellosis, leptospirosis, and toxoplasmosis utilizing the most current diagnostic tests available and at the discretion of the attending veterinarian.
- If animals are part of a UME, then screening for diseases must be more thorough and in direct coordination with NMFS and the UME On-site Coordinators.
- Have contingency plan for animals that are actively infected with or carriers of a reportable disease such as brucellosis, leptospirosis, toxoplasmosis, herpes virus, and morbillivirus.

2.4.8 Zoonotic Considerations

- Restrict public access and direct contact with pinnipeds due to zoonosis potential and public health hazard of untrained individuals interacting with sick and injured marine mammals.
- Train staff and personnel about how to prevent contracting zoonotic diseases (*Occupational and Safety Information for Marine Mammal Workers* <http://www.vetmed.ucdavis.edu/whc/mmz/>).
- Train staff and personnel working directly with stranded pinnipeds how to recognize symptoms of zoonotic disease.
- Train staff the basics of sanitation and properly handling contaminated equipment.
- Provide appropriate safety equipment, as reasonable, such as protective clothing, eye protection and face masks to all staff who may be exposed to zoonotic diseases.
- Provide eye flushing stations as used with HAZMAT or normal saline bottles to irrigate the eyes.
- Staff with open wounds shall not handle animals carrying potentially infectious diseases without appropriate precautions to protect their wound(s).

2.4.9 Pre-Release Guidelines

- Pre-release health screens and serologic requirements are determined by the NMFS Regional Stranding Coordinator and the Marine Mammal Health and Stranding Response Program (see *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*).

2.5 Sanitation

2.5.1 Primary Enclosure Sanitation

MINIMUM STANDARD

- Remove animal and food waste in areas other than the rehabilitation pool from the rehabilitation enclosure at least daily, and more often when necessary to prevent contamination of the marine mammals contained therein and to minimize disease hazards.
- Remove particulate animal and food waste, trash, or debris that enter rehabilitation/exercise pens or pools at least once daily, but as often as necessary to maintain water quality and to prevent increased health hazards to the marine mammals that use the pools.
- Remove trash and debris from pools as soon as it is noticed, to preclude ingestion or other harm to the animals.
- Clean the walls and bottom surfaces of the rehabilitation/exercise pens and pools as often as necessary to maintain a clean environment and proper water quality.
- Ensure appropriate disinfectants mixed to recommended dilutions are utilized to clean pens, equipment, utensils, and feed receptacles and to place in foot baths. These disinfectants should have both bacteriocidal and virocidal qualities.
- Rotate disinfectants on a regular basis to prevent bacterial resistance.
- Prevent animals from coming in direct contact with disinfectants or aerosol from spray or cleaning hoses (i.e., water splashed from floor).

RECOMMENDED

- Empty and allow pools to dry once each year but dry and hyperchlorinate pool bottoms and walls and haul-out areas after each use by sick pinnipeds.

2.5.2 Sanitation of Food Preparation Areas and Food Receptacles

- Use separate food preparation areas and supplies for rehabilitation vs. collection animals.
- Clean food containers such as buckets, tubs, and tanks, as well as utensils, such as knives and cutting boards, or any other equipment which has been used for holding, thawing or preparing food for marine mammals after each feeding, and sanitize at least once a day. Equipment should be cleaned with detergent and hot water, sanitized and dried before reuse.
- Clean kitchens and other food handling areas where animal food is prepared after every use, and sanitize at least once weekly using standard accepted sanitation practices.

- Store substances such as cleaning and sanitizing agents, pesticides and other potentially toxic agents in properly labeled containers away from food preparation areas.
- Post MSDS “right to know” documents for staff utilizing cleaning and animal treatment chemicals and drugs.

2.6 Food, Handling, and Preparation

During rehabilitation food for marine mammals shall be wholesome, palatable, free from contamination, and of sufficient quantity and nutritive value to allow the recovery of the animals to a state of good health. Live fish may be fed during rehabilitation but preferences should be given to native prey species. Live fish may contain parasites which could infect compromised animals. Feeding regimens should be tailored to enhance weight gain for underweight animals or growing pups, and should simulate natural patterns in terms of frequency and quantity to the extent possible while following a prescribed course of medical treatment. Most pinnipeds feed several times during a given day

2.6.1 Diets and Food Preparation

MINIMUM STANDARD

- Prepare the diets with consideration for age, species, condition, and size of marine mammals being fed.
- Feed pinnipeds a minimum of twice a day, except as directed by a qualified veterinarian or when following professionally accepted practices.
- Diets reviewed by a nutritionist, attending veterinarian, or the animal care supervisor.
- Train staff to recognize good and bad fish quality.
- Feeding live fish may be required for release determination. See *NMFS /FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release* for more information regarding feeding live fish.
- Food receptacles should be cleaned and sanitized after each use. Food preparation and handling should be conducted so as to minimize bacterial or chemical contamination and to ensure the wholesomeness and nutritive value of the food.

2.6.2 Food Storage and Thawing

- Frozen fish or other frozen food shall be stored in freezers which are maintained at a maximum temperature of 0° F (-18° C).

- The length of time food is stored and the method of storage, as well as the thawing of frozen food should be conducted in a manner which will minimize contamination and which will assure that the food retains optimal nutritive value and wholesome quality until the time of feeding.
- Freezers should only contain fish for animal consumption. Human food or specimens should not be placed in the fish freezer.
- Experienced staff should inspect fish upon arrival to ensure there are no signs of previous thawing and re-freezing, and check temperature monitoring devices in the transport container. The fish shipment should be refused, or fish should be discarded if temperature fluctuations occurred during transport.
- Freezers shall be of sufficient size to allow for proper stock rotation.
- All foods shall be fed to the marine mammals within 24 hours following the removal of such foods from the freezers for thawing.
- If the food has been thawed under refrigeration it must be fed to marine mammals within 12 hours of complete thawing.
- When fish is thawed in standing or running water, the coldest available running water must be used to prevent excess bacterial growth.
- To ensure optimal quality of the fish, and to prevent bacterial overgrowth, do not allow fish to reach room temperature or sit in direct sunlight.
- The thawed fish shall be kept iced or refrigerated until a reasonable time before feeding. This time will vary with ambient temperature.
- Prepared formula should be fed immediately or refrigerated and fed to the marine mammals within 24 hours of preparation. Formula, once heated to an appropriate temperature for a feed, shall be discarded if it is not consumed within one hour.

RECOMMENDED

- Calculate kilocalories of each type of fish or food items fed to each animal daily.
- Conduct food analysis for protein, fat and water content of each lot of fish used. Analysis from fish supplier may be used, and a copy should be maintained on site.
- Calculate composition of each diet routinely used.

2.6.3 Supplements

MINIMUM STANDARD

- Each animal shall receive appropriate vitamin supplementation which is sufficient and approved in writing by the attending veterinarian.
- Salt supplements shall be given to pinnipeds housed in fresh water as necessary and as approved by the attending veterinarian.

2.6.4 Feeding

Food, when given to each marine mammal individually or in groups, must be given by an employee or trained personnel who has the necessary training and knowledge to assure that each marine mammal receives an adequate quantity of food to maximize its recovery or maintain good health. Such personnel are required to recognize deviations in each animal being rehabilitated such that food intake can be adjusted accordingly.

2.6.5 Public Feeding

MINIMUM STANDARD

- Public feeding is not allowed for animals that are being rehabilitated.
- Feeding must be conducted only by qualified, trained rehabilitation staff members.

2.6.6 Feed Records

MINIMUM STANDARD

- Maintain feed records for each individual animal noting the individual (not an estimate) daily consumption by specific food type.
- If animals are fed in groups then group feed records shall be maintained and together with daily husbandry notes and weekly weight records ensure evidence of sufficient feed intake.
- Weigh food before and after each feeding individuals and groups and record the amount consumed.
- Weigh the animal as practical, keeping in mind that obtaining the weight of the animal may be stressful.
- If weighing the animal is not an option, obtain the girth measurement at the level of the axilla if possible.

2.7 Veterinary Medical Care

All rehabilitation facilities shall have an attending veterinarian. The attending veterinarian is critically involved in making decisions regarding medical care as well as housing and husbandry of resident and newly admitted patients.

2.7.1 Veterinary Experience

MINIMUM STANDARD

The attending veterinarian shall:

- Assume responsibility for diagnosis, treatment, and medical clearance for release or transport of marine mammals in rehabilitation (50 CFR 216.27).
- Ability to provide a schedule of veterinary care that includes a review of husbandry records, visual and physical examinations of all the marine mammals in rehabilitation, and a periodic visual inspection of the facilities and records.
- Be available to examine animals on a regular schedule and emergency basis.
- Be available to answer veterinary questions on a 24 hour basis.
- Have marine mammal experience or be in regular consultation with a veterinarian who has marine mammal experience and have access to a list of expert veterinarians to contact for assistance.
- Have an active veterinary license in the United States (means a person who has graduated from a veterinary school accredited by the American Veterinary Medical Association Council on Education, or has a certificate issued by the American Veterinary Graduates Association's Education Commission for Foreign Veterinary Graduates), or has received equivalent formal education as determined by NMFS Administrator (adapted from the Animal Welfare Act Regulations 9 CFR Ch. 1).
- Have the skills to be able to draw blood and give injections to the species most commonly encountered at the rehabilitation center.
- Facility management should have contingency plan for veterinary backup.
- Have the appropriate registrations and licenses (e.g., registered with the Drug Enforcement Administration for handling controlled substances) to obtain the necessary medications for the animals housed at that rehabilitation facility.
- Be able to conduct a full post-mortem exam on all species of pinnipeds treated at the facility.
- Be knowledgeable and able to perform pinniped euthanasia.

- Be knowledgeable about species-specific pharmacology.
- Must certify in writing that animals are fit for transport.
- Ability to write and submit timely disposition recommendations for marine mammals in rehabilitation.
- Be knowledgeable of marine mammal zoonotic diseases.

RECOMMENDED

All of the above plus:

- Membership in the International Association for Aquatic Animal Medicine.
- Complete a course which offers basic medical training with marine mammals such as Seavet, Aquavet, or MARVET.
- Have at least one year of clinical experience outside of veterinary school.
- Have access to a current version of the “Handbook of Marine Mammal Medicine” Have basic hands-on veterinary experience with the species most frequently rehabilitated at the facility.
- Be full time employee or the contract veterinarian of record at facilities managing over 50 pinniped cases per year (i.e., live and dead).

2.7.2 Veterinary Program

MINIMUM STANDARD

- Veterinary care for the animals must conform with any State Veterinary Practice Act or other laws governing veterinary medicine which applies to the state in which the facility is located.
- Standard operating procedures should be reviewed and initialed by the attending veterinarian or the animal care supervisor annually and/or whenever the document is changed or updated. This document may be reviewed by NMFS as part of the NMFS Stranding Agreement or as part of inspections.
- Staff caring for animals should be sufficiently trained to assist with veterinary procedures under the direction of the veterinarian and the rehabilitation facility should maintain at least one **Animal Care Supervisor** who is responsible for overseeing prescribed treatments, maintaining hospital equipment, and controlling drug supplies. The person should be adequately trained to deal with emergencies until the veterinarian arrives, be able to direct the restraint of the animals, be responsible for administration of post-surgical care, and be skilled in maintaining appropriate medical records. It is important that the animal care supervisor should communicate frequently

and directly with the attending veterinarian to ensure that there is a timely transfer of accurate information about medical issues.

- Veterinary decisions shall be based on “best practices” (i.e., based on informed opinions and expertise of veterinarians practicing marine mammal medicine).
- A schedule of veterinary care which includes a review of husbandry records, visual and physical examinations of the animals, and a visual inspection of the facilities should be implemented
- A health and safety plan for the staff shall be written and accessible at all times. It shall be reviewed by the attending veterinarian or the animal care supervisor annually or as prescribed by the NMFS Stranding Agreement. Also, it may be beneficial to consult with an occupational health medical professional when developing these plans. All animal care staff will be familiar with the plan. The plan shall include protocols for managing bite wounds.

The following reports may be requested annually by NMFS as required under the NMFS Stranding Agreement or as a part of inspections

- SOP reviews
- Health and Safety Plan reviews
- Animal acquisitions and dispositions
- NOAA Form 89864, OMB#0648-0178 (Level A data)
- NOAA Form 89878, OMB#0648-0178 (Marine Mammal Rehabilitation Disposition Report)
- Case summaries for any rehabilitation performed at a facility, including narrative descriptions of the cases as well as spreadsheets of treatments, blood values, etc.

2.8 Laboratory Tests and Frequency of Testing

Specific requirements for tests will be issued by the NMFS stranding coordinator (or UME Onsite Coordinator) in each region as outlined in the Marine Mammal Health and Stranding Response Program for release determinations, surveillance programs and UME investigations. Routine diagnostic sampling and testing protocols will be determined by the attending veterinarian. NMFS must be provided adequate time and information including a veterinary certificate of health before an animal is released as directed in 50 CFR 216.27 (see NMFS/FWS BEST PRACTICES for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release).

MINIMUM LABORATORY TESTING

- CBC/Serum Chemistry- For most cases, all animals shall have a minimum of two blood samples drawn for CBC with differential and serum chemistry; upon admission and prior to release (see *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*). If duration of rehabilitation is shorter than a week, one blood workup may suffice and is at the attending veterinarian's discretion.
- Fecal analysis for parasites- Fecal tests for parasites shall be run upon admission of each animal at the discretion of the attending veterinarian.
- Serology as necessary for release determination based on direction of the NMFS stranding coordinator and the Marine Mammal Health and Stranding Program each year and for additional clinical diagnosis as deemed appropriate by the attending veterinarian.
- If serology is positive for pathogens of concern NMFS must give final sign off before animal is released.
- Measure body weight, and length upon admission, and within one week of release/placement. Measure girth when possible, or whenever a scale is not available to measure weight.
- The attending veterinarian or a trained staff member shall perform a necropsy on every animal that dies within 24 hours of death if feasible. If necropsy is to be performed at a later date (ideally no longer than 72 hours postmortem), the carcass should be stored appropriately to delay tissue decomposition.
- Carcass disposal shall be handled in a manner consistent with local and state regulations.
- Perform histopathology on select tissues from each animal that dies at the discretion of the attending veterinarian. A complete set of all major tissues should be evaluated if the animal dies of an apparent infectious disease process.
- Culture and other diagnostic sampling shall be conducted as directed by the attending veterinarian to determine the cause of stranding or death.
- Contact NMFS for additional laboratory test requirements in all cases of unusual mortality outbreaks or disease outbreaks. More complete testing may be required for diseases of concern.
- For cases involving release decisions, unusual mortality investigations, or surveillance programs, serologic assays may only go to labs that have validated tests approved by NMFS, especially for release decisions or determinations. Guidance will be provided by the NMFS Stranding Coordinators or UME Onsite Coordinator.
- Notify the NMFS Stranding Coordinator of learning of any diseases of concern (e.g., emerging, reportable, and/or zoonotic diseases) that are detected and/or confirmed that could be a potential

hazard for public health or animal health (NMFS will provide guidance on reportable diseases as it becomes available).

- NMFS must be provided adequate time and information (including veterinary certificate of health) before the animal is released in all cases as directed in 50 CFR 216.27 (see NMFS Standards for Release). This information is required under 50 CFR 216.27(a) and must be submitted 15 days prior to release unless advanced notice is waived by the NMFS Regional Administrator. Guidance on the waivers is provided in the *NMFS/FWS Best Practices for Marine Mammal Stranding Response, Rehabilitation, and Release – Standards for Release*.

RECOMMENDED

- CBC/Serum Chemistry with electrolytes on admission, within the week prior to release, and every other week during rehabilitation if restraint for sampling is not detrimental to the health of the animal.
- More frequent blood sampling at the discretion of the veterinarian.
- Weight measured on admission, just before release, and weekly for growing pups and underweight animals.
- Weights should be measured monthly for all animals unless the stress of capturing the animal to weigh it outweighs the benefits of the data.
- Complete necropsy performed by a veterinarian or a pathologist within 24 hours of death.
- Full histopathology done on tissues from each animal that dies of apparent infectious disease.
- Bank 1cc of serum per blood draw in -80°F freezer.

2.9 Record Keeping and Data Collection

Record keeping is an essential part of the rehabilitation process. Not only do accurate and complete medical records for each stranded pinniped allow the staff to provide consistent and optimal care for each animal, but retrospective records help scientists and veterinarians make better evaluations on how to treat individuals.

Record Keeping

MINIMUM RECORDS

- Record and report “Level A”, and disposition reports as advised by Regional Coordinator and Marine Mammal Rehabilitation Disposition Report (NOAA 89-878, OMB #0648-0178) as in accordance with the NMFS Stranding Agreement.
- Maintain and update individual medical records daily on each animal at the rehabilitation center.
- Individually identify each animal with unique identifier
- Keep an accurate description of the animal, including identification/tag number, date and location of stranding, sex, weight, and length at stranding.
- Subjective, objective, assessment and plan (SOAP) based records are preferred
- Include food intake and medication administered to each animal in the records each day.
- Weight
 - a. Recorded weekly for underweight pinnipeds or pups, and more often if the attending veterinarian feels it is necessary to properly care for the animal.
 - b. Recorded on admission and release for larger pinnipeds.
- Record all treatments, blood work, test and results and daily observations in the medical records.
- Maintain individual medical records for each animal. Medical records remain on site where the animal is housed and are available for NMFS review upon request as stated in the NMFS Stranding Agreement.
- Hold medical records for a minimum of 15 years on site.
- Maintain up to date water quality records.
- Maintain life support system maintenance records.
- Maintain records of water quality additives.

RECOMMENDED RECORD KEEPING

All of the above plus:

- Full set of standard morphometrics prior to release.
- Photographic documentation of animals with significant lesions, identifying marks.
- Caloric value of daily food intake calculated and recorded for each animal.
- Daily weight of underweight pups. Larger species, where pups exceed 50 kg, may require obtaining weights less frequently.

- Monthly weights of larger pinnipeds (where the stress of capture to weigh does not adversely affect the rehabilitation efforts).
- Maintain food acquisition and analysis records.
- Maintain “paper copy” archive of required NMFS records.

2.9.1 Data Collection

MINIMUM STANDARD

- Written documentation of the medical history, food and observation records must be kept.
- NMFS Required Forms to be completed in writing or submitted electronically in the NMFS National Marine Mammal Stranding Database as prescribed in the NMFS Stranding Agreement:
 - a. NOAA Form 89864, OMB#0648-0178 (Level A data)
 - b. NOAA Form 89878, OMB#0648-0178 (Marine Mammal Rehabilitation Disposition Report).

RECOMMENDED

- Computerized documentation with hard copies.
- Ability to network with other institutions.
- Maintain real-time accessible compiled comparative data.

2.10 Euthanasia

- Each institution must have a written euthanasia protocol signed by the attending veterinarian.
- Persons administering the euthanasia must be knowledgeable and trained to perform the procedure.
- Maintain a list of individuals authorized to perform euthanasia signed by the veterinarian.
- Euthanasia shall be performed in a way to minimize distress in the animal.
- Refer to resources such as the American Veterinary Medical Association Panel Report on Euthanasia, the CRC Press Handbook of Marine Mammal Medicine and American Association for Zoo Veterinarians Guidelines for Euthanasia of Nondomestic Animals.
- Appropriate drugs for euthanasia in appropriate amounts for the largest species admitted to the facility shall be maintained in stock on site in an appropriate lockbox or under the control of a licensed veterinarian with a current DEA license.
- Drugs for euthanasia shall be kept with an accurate inventory system in place.
- DEA laws and regulations and State Veterinary Practice Acts must be followed when using controlled drugs

- NMFS may request this information (protocols and DEA number) as part of the NMFS Stranding Agreement.

2.11 Health and Safety for Personnel

There shall be a health and safety plan on site at each rehabilitation facility that identifies all health and safety issues that may be factors when working closely with wild marine mammals. The plan should identify all potential zoonotic diseases as well as including safety plans for the direct handling of all species and sizes of pinnipeds seen at that facility. Rehabilitation facilities are encouraged to comply with Occupational Safety and Health Administration regulations.

MINIMUM STANDARD

- Identify all potential zoonotic diseases in a written document available to all personnel.
- Include safety plans for the direct handling of all species and sizes of pinnipeds seen at that facility.
- Include safety plan for dealing with handling any untreated discharge water.

2.12 Contingency Plans

Contingency plans shall be in place at each facility and may be required by NMFS as part of the NMFS Stranding Agreement. NMFS may require approved variances or waivers prior to planned projects such as construction. These plans should address in detail the operation of the facility and care of the animals under the following conditions:

- Inclement weather plan, including a hurricane/big storm plans where appropriate.
- Construction in the vicinity of the animal rehabilitation pens or pools.
- Power outages, including plans of how to maintain frozen fish stores and life support systems.
- Water shortages.
- “Acts of God” plan which may include floods, earthquakes or other unpredictable problems known to occur on occasion in the region where the facility is located.

2.13 Viewing

NMFS Regulation, U.S.C. 50 CFR 216.2(c)(5) states that marine mammals undergoing rehabilitation shall not be subject to public display. The definition of public display under U.S.C. 50 CFR is “an activity that provides opportunity for the public to view living marine mammals at a facility holding

marine mammals captive”. Only remote public viewing or distance viewing should be allowed and only when there is no possible impact of the public viewing on the animals being rehabilitated. There is a regulatory requirement for a variance or waiver by NMFS for facilities planning to offer public viewing of any marine mammal undergoing rehabilitation.

2.14 Training and Deconditioning Behaviors

Basic behavioral conditioning of wild pinnipeds for husbandry and medical procedure may be warranted during rehabilitation as long as every effort is made to limit reinforced contact with humans. Such conditioning may reduce stress for the animal during exams and acquisition of biological samples. Conditioning may assist with appetite assessment and ensuring that each animal in a group receives the appropriate amount and type of diet and medications. In some cases, extensive contact with humans, including training, may benefit resolution of the medical case by providing mental stimulation and behavioral enrichment, and may facilitate medical procedures. The relative costs and benefits of training should be evaluated by the staff veterinarian, and the likelihood of contact with humans following release should be considered.

Behavioral conditioning of pinnipeds must be done for the shortest time necessary to achieve rehabilitation goals and is to be eliminated prior to release such that association of food rewards with humans is diminished. If an animal has become accustomed to hand-feeding the animal may approach humans after release. Therefore, these behaviors should be deconditioned before the animals can be considered for release. Most behaviors will extinguish through lack of reinforcement, but some may require more concentrated efforts.

Training for research that is above and beyond the scope of normal rehabilitation practices can be approved on a case-by case basis under a NMFS scientific research permit. An exception can be made if the attending veterinarian, facility, and NMFS officials all agree that the research will not be detrimental to the animals' health and welfare and will not impede their ability to be successfully released back to the wild.

2.15 References

Langman VA, Rowe M, Forthman D, Whitton B, Langman N, Roberts T, Kuston K, Boling C, and Maloney D. 1996. Thermal Assessment of Zoological Exhibits I: Sea Lion Enclosure at the Audubon Zoo. *Zoo Biology* 15:403-411.

3. Frequently Asked Questions

Why are there two sets of standards, “minimum” and “recommended”, in the facilities guidelines?

The thought behind the two sets of guidelines was to establish a bare minimum standard which every facility should have to meet in order to rehabilitate either pinnipeds or cetaceans. The “recommended” standards are standards considered more ideal to help maximize the success of the rehabilitation effort, and to minimize the potential spread of disease. Many facilities exceed the recommended standard.

Facilities that just meet the minimum standards may wish to improve their facility over time. The Facilities Guidelines could serve as a method of justifying and helping to secure Prescott Funds or other funding to make improvements to bring a facility up to the recommended standards.

Why are there separate standards for pinnipeds and cetaceans?

While many aspects of rehabilitating cetaceans and pinnipeds that are the same, there are likewise many significant differences. Water quality, pool space and design, and handling debilitated animals are examples of the bigger differences between facility design and equipment required for rehabilitation of these animals. Rehabilitation of cetaceans requires more expensive facilities, as there must be larger, deeper pools available, salt water systems, and more elaborate filtration in closed system situations. While some facilities have adequate equipment and personnel to rehabilitate pinnipeds, they may not meet the standards required for the rehabilitation of cetaceans. Having two sets of guidelines allows NMFS the flexibility of issuing agreements specific to the types of animals that may be rehabilitated at each facility.

Many of the standards listed appear to be directly from the AWA standards. Why don't you just state that the facilities will meet all of the AWA regulations? What if the AWA regulations change?

AWA regulations have specific engineering standards to cover captive marine mammals. These standards for pool size and depth are based on captive adult-sized animals. The majority of pinnipeds admitted to most rehabilitation facilities are pups, juveniles, and sub-adults, and because they are not going to be permanent members of a collection, pool size may be smaller than the minimum sizes

stated in the AWA regulations. Cetacean facility guidelines minimum pool sizes are closer to the AWA regulations in pool size, but not identical, as these animals are not considered to be permanent residents.

AWA regulations may change, however these Facilities Guidelines were created with the consideration that animals being rehabilitated are not permanent residents of the facility. Therefore even if AWA regulations change, it is likely, the Stranding Network Facilities Guidelines will remain the same. Facilities Guidelines apply to the wild animals held by participants of the stranding network, whereas the AWA regulations refer to captive animals owned by the licensees.

Under Water Quality, no mention is made regarding protecting staff and public from discharged water.

This is covered by the statement that “All water must be discharged according to State and Local Regulations”. Since state and local regulations vary, it is up to each institution to ensure their discharge policy conforms to the regulations in their area. These regulations should take into consideration the public exposure to the discharged water from the rehabilitation facility. Likewise all rehabilitation facilities should have Standard Operating Procedures in place to protect their staff from hazards which may be posed by the rehabilitation of marine mammals.

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Fisheries and Habitat Conservation
Marine Mammal Program

FINAL

POLICIES AND BEST PRACTICES

**MARINE MAMMAL STRANDING RESPONSE,
REHABILITATION, AND RELEASE**

STANDARDS FOR RELEASE

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Standards for Release

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Executive Summary

Rescue, rehabilitation, and release of wild marine mammals is allowed for authorized individuals under listed conditions by the Marine Mammal Protection Act (MMPA) [16 U.S.C. 1379 § 109(h)]. Section 402(a) of Title IV of the MMPA specifically mandates that “The Secretary shall... provide guidance for determining at what point a rehabilitated marine mammal is releasable to the wild” [16 U.S.C. 1421 §402(a)]. This document fulfills the statutory mandate and is not intended to replace marine mammal laws or regulations.

In accordance with the MMPA, these guidelines were developed by the National Oceanic and Atmospheric Administration’s (NOAA) National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (FWS) in consultation with marine mammal experts through review and public comment on the 1997 draft NOAA Technical Memorandum “Release of Stranded Marine Mammals to the Wild: Background, Preparation, and Release Criteria.” Comments from the public review process and other outstanding issues were compiled by NMFS and FWS. The agencies consulted with experts in three areas: cetaceans, pinnipeds and sea otters, and manatees. The experts reviewed and discussed the public comments and provided individual recommendations. This current document encompasses revisions and updates to the 1997 draft and is titled differently.

These guidelines provide an evaluative process to help determine if a stranded wild marine mammal, following a course of treatment and rehabilitation, is suitable for release to the wild. These guidelines describe “Release Categories” for rehabilitated marine mammals of each taxonomic group (i.e., cetaceans, pinnipeds, manatees, sea otters and polar bears). After completing a thorough assessment as prescribed, the release candidates are to be assigned to a Release Category as follows: **Releasable**, **Conditionally Releasable**, **Conditionally Non-releasable (Manatees only)**, and **Non-releasable**. This document establishes essential release criteria that trained experts should use to determine whether or not individual animals are healthy enough to release into the wild. The essential release criteria are assessed in the following categories:

- 1) Historical Assessment
- 2) Developmental and Life History Assessment
- 3) Behavior Assessment and Clearance
- 4) Medical Assessment and Clearance
- 5) Release Logistics
- 6) Post Release Monitoring

By using clearly defined Release Categories for rehabilitated marine mammals, NMFS and FWS can evaluate and support the professional discretion of the attending veterinarian and their assessment team (i.e., biologists, veterinarians, animal care supervisors, and other team members of the marine mammal stranding network). Based on these Release Categories, NMFS and FWS can consult experts on challenging cases in which the survival of the rehabilitated marine mammal or its potential to pose a health risk to wild marine mammals is in question.

Refinement of requirements and guidelines for release of rehabilitated marine mammals to the wild is a dynamic process. Use of these standardized guidelines will also aid in the evaluation of rehabilitation procedures, successes, and failures, and will allow for on-going improvement of such protocols. These guidelines are based on the best available science and thus will be revised periodically.

1. Introduction

1.1 Background

Prior to the early 1990s, release decisions for marine mammal species under the jurisdiction of the National Marine Fisheries Service (NMFS) were made by individual rehabilitation facilities without much direction or input from NMFS. Decisions were inconsistent and invoked controversy, especially for cetacean cases. The Marine Mammal Commission and NMFS sponsored several workshops focusing on procedures and needs regarding marine mammal strandings, rehabilitation, and release (see Appendix A). Discussions at these workshops provided starting points for establishing objective release criteria. A stronger impetus to formalize these release guidelines came in 1992 when, as part of the Marine Mammal Health and Stranding Response Act, Congress mandated establishing objective guidelines for determining releasability of rehabilitated marine mammals. The Marine Mammal Protection Act (MMPA) was amended to include Title IV, Section 402(a) which states that: ***“The Secretary [of Commerce] shall, in consultation with the Secretary of Interior, the Marine Mammal Commission, and individuals with knowledge and experience in marine science, marine mammal science, marine stranding network participants, develop objective criteria, after an opportunity for public review and comment, to provide guidance for determining at what point a rehabilitated marine mammal is releasable to the wild.”***

In accordance with the MMPA, these guidelines were developed by NMFS and the U.S. Fish and Wildlife Service (FWS) in consultation with marine mammal experts through review and public comment of the 1997 draft National Oceanic and Atmospheric Administration (NOAA) Technical Memorandum “Release of Stranded Marine Mammals to the Wild: Background, Preparation, and Release Criteria.” Comments from the public review process and other outstanding issues were compiled by NMFS and FWS. The agencies consulted with experts in three areas: cetaceans, pinnipeds and sea otters (*Enhydra lutris*), and manatees (*Trichechus manatus*). The experts reviewed and discussed the public comments and provided individual recommendations. This current document encompasses revisions and updates to the 1997 draft and is titled differently.

The purposes of this document are as follows:

1. To provide guidance for determining release of rehabilitated marine mammals to the wild including marine mammal species under the jurisdiction of the NMFS (Department of Commerce) and those under the jurisdiction of the FWS (Department of the Interior);

2. To state the NMFS and FWS legal requirements and provide recommendations for medical, behavioral, and developmental assessment of rehabilitated marine mammals prior to release;
3. To identify the persons and agencies responsible for completing an assessment of a rehabilitated marine mammal for a release determination and to describe the communication requirements and process with NMFS or FWS;
4. To state the NMFS and FWS requirements and recommendations for identification of releasable rehabilitated marine mammal, selection of a release site, and post-release monitoring; and
5. This document does not include guidance for the following situations:
 - a. Immediate release following health assessment and/or emergency triage typically associated with mass stranding events, out of habitat rescues, and disentanglement efforts.
 - b. Release following relocation of healthy marine mammals.

1.2 Review of Key Legislation Pertinent to Marine Mammal Rehabilitation and Release to the Wild

Congress delegates the responsibility for implementing the MMPA to the Secretary of Commerce and the Secretary of the Interior. Cetaceans and pinnipeds, exclusive of walruses (*Odobenus rosmarus*), are the responsibility of NMFS (i.e., NMFS species). Walruses, polar bears (*Ursus maritimus*), manatees, and sea otters are the responsibility of FWS (i.e., FWS species). NMFS and FWS responsibilities for these species are regulated under 50 CFR (See Appendix B).

Rehabilitation and release of wild marine mammals is authorized by key statements within the MMPA (16 U.S.C. 1379 §109(h)) entitled “Taking of Marine Mammals as Part of Official Duties.” This section allows for the humane taking of a marine mammal, by a Federal, State, or local government official or employee or a person designated under section 112(c) of the MMPA, for its protection or welfare and states that an animal so taken is to be returned to its natural habitat whenever feasible. Regulations that implement the MMPA for NMFS species (50 CFR 216.27(a)(1)) require that a marine mammal held for rehabilitation be released within six months unless “...the attending veterinarian determines that: (i) The marine mammal might adversely affect marine mammals in the wild; (ii) Release of the marine mammal to the wild will not likely be successful given the physical condition and behavior of the marine mammal; or (iii) More time is needed to determine whether the release of the marine mammal in the wild will likely be successful...” and (b)(1) “The attending veterinarian shall provide the Regional Director or Office Director with a

written report setting forth the basis of any determination.” Also, (a)(iii) “releasability must be re-evaluated at intervals of no less than six months until 24 months from capture or import, at which time there will be a rebuttable presumption that release into the wild is not feasible.”

For NMFS species, the MMPA section 112 (c) Stranding Agreements (formerly Letters of Agreement or LOAs) are formally established between the *NMFS Regions* and *Stranding Network Participants*. Understanding and following the MMPA and implementing regulations, policies, and guidelines, **is the responsibility of all persons involved** in marine mammal rescue, rehabilitation, and release. These guidelines are founded on and support the MMPA and related regulations. The laws and regulations outlined below are therefore fundamental to proper enactment of marine mammal rehabilitation and release. Appendix B contains the full titles and citations of these laws and regulations.

1.3 Structure of the Document

This document is organized as follows: General Procedures (Section 2); Guidelines for Release of Rehabilitated Cetaceans (Section 3); Guidelines for Release of Rehabilitated Pinnipeds (Section 4); Guidelines for Release of Rehabilitated Manatees (Section 5); Guidelines for Release of Rehabilitated Sea Otter (Section 6); Policies Regarding Release of Rehabilitated Polar Bears (Section 7); References (Section 8); Glossary of Terms (Section 9); and Appendices (Section 10).

The approach developed in this document primarily involves a complete assessment of an animal’s health and behavior and release logistics. The assessment is completed by the attending veterinarian and their Assessment Team following this standardized guidance for determining the disposition of a marine mammal after treatment and rehabilitation. Section 2, “General Procedures,” summarizes the pertinent laws and regulations and outlines the release requirements and recommendations for all species of rehabilitated marine mammals. This section provides an overview of documentation required throughout rehabilitation and release. Parties responsible for release determinations are identified. General principles for developmental, behavioral, and medical assessments of rehabilitated marine mammals are described, as well as methods for post-release identification (i.e., marking and tagging), monitoring, and selection of appropriate release sites.

There are several critical variables among each taxonomic group, such as natural history, social organization, and species specific rehabilitation and release considerations. These variables are addressed in separate chapters (Sections 3-7) for cetaceans, pinnipeds, manatees, sea otters, and polar

bears. These chapters provide greater detail and rationale for the release guidelines for each marine mammal group.

The reference section lists current literature on marine mammal biology, medicine, rehabilitation, and release. A glossary of terms is provided to define key terms initially noted in the text with italics. The appendices provide ready access to marine mammal laws and regulations and examples of required documentation for rehabilitated marine mammals. Additional appendices include examples correspondence letters between the Stranding Participant and NMFS, lists of Diseases of Concern, and related references for cetaceans, pinnipeds, manatees, and sea otters.

1.4 Funding

Funding of marine mammal rehabilitation is the responsibility of the rehabilitation facility. Specific resources, such as freezers for serum banking, histopathology services, equipment, and personnel for post-release monitoring may be provided through NMFS and FWS to support the biomonitoring program. Some costs associated with response and rehabilitation during a Marine Mammal Unusual Mortality Event (UME) may be reimbursed through the UME National Contingency Fund (in accordance with section 405 of the MMPA). For additional information regarding expense reimbursement, contact the appropriate NMFS or FWS coordinator. For NMFS species, the John H. Prescott Marine Mammal Rescue Assistance Grant Program is also available as a funding source for marine mammal stranding response and rehabilitation. More information on this program can be found on the following website: <http://www.nmfs.noaa.gov/pr/health/prescott/>.

2. General Procedures

2.1 Stranding Agreements, MMPA 109(h) Authority, and Permits for Stranding Response for ESA species

2.1.1 NMFS Policies

NMFS may enter into a Stranding Agreement (formerly known as a Letter of Agreement or LOA) with a person or organization for stranding response and rehabilitation. The NMFS Stranding Agreement states that the Stranding Network Participant will obey laws, regulations, and guidelines governing marine mammal stranding response and rehabilitation. This includes requirements for communications with NMFS, *humane care* and husbandry and veterinary care of rehabilitated marine mammals, and documentation of each stranding response and rehabilitation activity. The Stranding Agreement does not authorize the taking of any marine mammal species listed as endangered or threatened under the Endangered Species Act of 1973 (ESA), as amended. However, authorization to take ESA-listed species by the Stranding Network is currently provided under *MMPA/ESA Permit No. 932-1489-09*, as amended, and requires authorization and direction from the NMFS Regional Stranding Coordinator in the event of a stranding involving a threatened or endangered marine mammal.

2.1.2 FWS Policies

Rescue, rehabilitation, and release of non ESA-listed marine mammal species under FWS responsibility is authorized with a *Letter of Authorization (LOA)* issued by the *Division of Management Authority (DMA)* in the FWS Headquarters Office in Arlington, VA. For ESA-listed species, an LOA holder is authorized under a permit issued by the DMA. The *FWS Field Offices* in the lower 48 states or the *Marine Mammals Management Office in Alaska* coordinate with LOA and permit holders for all rescue, rehabilitation, and release activities for species under their jurisdiction.

2.2 Parties Responsible for Release Determinations and Overview of Agency Approval

The *attending veterinarian* and their *Assessment Team* (i.e., veterinarians, lead animal care supervisor, and/or consulting biologist with knowledge of species behavior and life history) representing the Stranding Network Participant, Designee, or 109(h) Stranding Participant will assess the animal and make a written recommendation for release or non-release. **For NMFS species, the recommendations are sent to the NMFS Regional Administrator. For FWS species, the**

recommendations are sent to the FWS Field Office and any recommendations for non-release are coordinated with the FWS Division of Management Authority.

In general, for NMFS species that are deemed “Releasable,” a 15-day advance written notification is necessary. However, 50 CFR 216.27 (a)(2)(i)(A) allows for waiving this advance notification in writing by the Regional Administrator. Generally, these cases are anticipated (e.g., the typical annual cluster of cases where the etiology is known and diagnosis and treatment is routine) and can be appropriately planned. For such waivers, the Stranding Network Participant should submit a protocol for such cases, including location of release. These waivers will require pre-approval by the NMFS Regional Administrator on a schedule as prescribed in the Stranding Agreement. The *release determination recommendation* includes a signed statement from the attending veterinarian, in consultation with their Assessment Team, stating that the **marine mammal is medically and behaviorally suitable for release in accordance with the release criteria** (i.e., similar to a health certificate) and include a written *release plan and timeline*. NMFS may also require a concurrence signature from the “*Authorized Representative*” or *Signatory* of the Stranding Agreement. The Regional Administrator (i.e., NMFS staff) will review the recommendation and release plan and provide a signed written notification to the Stranding Network Participant indicating concurrence and authorization to release or direct an alternate disposition (*letter of concurrence from the Regional Administrator*) (50 CFR 216.27). For more challenging cases and potential “Conditionally Releasable” cases, plans for release should be submitted well in advance of the 15-day period to provide adequate time for evaluation. Also, it is highly recommended that dissenting opinions among members of the Assessment Team regarding an animal’s suitability for release and/or the release plan be communicated to NMFS well in advance of the required 15-day advance notice so that additional consultation can be arranged in adequate time for resolution and planning.

By regulation (50 CFR 216.27 (a)(3), Appendix B), the NMFS Regional Administrator (or Office Director of Protected Resources) has the authority to modify requests for release of rehabilitated marine mammals. In accordance with 50 CFR 216.27 (a)(1), any marine mammal held for rehabilitation must be evaluated for releasability within six months of collection unless the “attending veterinarian determines that the marine mammal might adversely affect other marine mammals in the wild, release of the marine mammal to the wild will not likely be successful given the physical condition and behavior of the marine mammal, or more time is needed to determine whether the release of the marine mammal will likely be successful.” If more time is needed, then NMFS will require periodic reporting in writing from the attending veterinarian, including a description of the

condition(s) of the animal that precludes release and a prognosis of release. NMFS may require that the marine mammal remain at the original rehabilitation facility or be transferred to another rehabilitation facility for an additional period of time, be placed in permanent captivity, or be euthanized. NMFS may also require a change of conditions of the release plan including the release site and post-release monitoring. An expanded release plan may be required including a justification and detailed description of the logistics, tagging, location, timing, crowd control, media coordination (if applicable) and post release monitoring. NMFS may require contingency plans should the release be unsuccessful including recapture of the animal following a specified time after release.

Generally for animals deemed “Non-releasable” and with the concurrence from the NMFS Regional Administrator, the animal can be permanently placed in a public display or research facility or euthanized. If the animal is to be placed in permanent captivity, the receiving facility must be registered or hold a license from the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) [7 U.S.C. 2131 *et seq.*] and comply with MMPA (16 U.S.C. 1374 §104(c)(7)). These facilities (i.e., the rehabilitation facility or another authorized facility) are required to send a *Letter of Intent* to the Office of Protected Resources, Permits, Conservation and Education Division (NMFS PR1) to permanently retain or acquire the animal (information available at http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.htm). This letter should include a signature of the “*Responsible Party of Record*”. As part of the decision making process, NMFS will consult with APHIS and may review the qualifications and experience of staff, transport protocols, and placement plans (i.e., integration based on appropriate composition of species, sex, and age and the intended proposed plan for public display or scientific research). Once approved, NMFS PR1 will respond with a *Transfer Authorization Letter* and include Marine Mammal Datasheets (MMDS), OMB Form 0648-0084, to be returned to NMFS PR1 within 30 days of transfer. Upon receipt of the MMDS, NMFS PR1 will acknowledge the transfer in writing and return updated MMDS to the receiving facility.

For FWS species, LOA and permit holders provide recommendations to the FWS Field Offices for decisions regarding releasability of rehabilitated marine mammals (see Appendix H for contact information). The FWS retains the authority to make the final determination on the disposition of these animals. If FWS determines that a marine mammal is non-releasable, the holding facility may request a permit for permanent placement in captivity as prescribed in section 104(c)(7) of the MMPA for non-depleted species, or section 104(c)(3) or section 104(c)(4) and section 10(a)(1)(A) of the ESA for depleted species.

Manatee releases require a minimum 30-day advance notice (although exceptions may be made in the event of extenuating circumstances) and must also include a signed statement from the attending veterinarian that the **animal is medically and behaviorally suitable for release in accordance with the release criteria** (i.e., similar to a health certificate) and include a written release plan and timeline. Upon receipt, FWS will evaluate and determine the suitability of the release site and release conditions (see taxa specific sections for further guidance).

For cases involving declared *UMEs*, the *Working Group on Marine Mammal Unusual Mortality Events* will be consulted to determine if event specific release standards should be implemented as stated in the **1996 NOAA Technical Memorandum – National Contingency Plan for Response to Unusual Marine Mammal Mortality Events**. Priority will be given to protecting the health of wild populations over the disposition of an individual animal. Provisions may require monitoring a representative subset of released animals to determine survivability impact on the affected population or holding rehabilitated animals beyond the projected release time to determine long term health effects.

2.3 Documentation for Rehabilitation and Release of Marine Mammals

2.3.1 NMFS

Pursuant to the Stranding Agreement between the Stranding Network Participant and appropriate NMFS Regional Office that allows a stranding organization to respond to and/or rehabilitate marine mammals, the Stranding Network Participant must provide documentation to NMFS regarding their activities that involve the taking and disposition of marine mammals as described below. The same holds true for actions under MMPA section 109(h). Figure 2.1 presents the documentation and procedures following submission of the written “release determination recommendation.”

- **Marine Mammal Stranding Report Level A Data**, NOAA Form 89-864, OMB No. 0648-0178 (Appendix C).

This report is mandatory for all stranding events and includes basic information regarding the site and nature of the stranding event, a statement that the animal was found alive or a description of the condition of its carcass, morphologic information, photo or video documentation, initial disposition of any live animal, tag data, and information on disposal, disposition, and necropsy of dead animals. This report must be sent to the appropriate NMFS Regional Office within the time stated in the Stranding Agreement.

- **Marine Mammal Rehabilitation Disposition Report**, NOAA Form 89-878, OMB No. 0648-0178 (Appendix C)

This report is mandatory for all rehabilitation cases (i.e., long-term and short-term temporary holding) and includes a brief history of the stranding and related findings of an individual marine mammal. It also includes the disposition of samples taken from the animal and disposition of the animal including release site and tagging information. This report includes verification and date that a pre-release health screen was done on the animal. This document must be sent to the appropriate NMFS Regional Office no later than 30 days following the final disposition (e.g. released or non-released) of the marine mammal or as prescribed in the Stranding Agreement. NMFS compiles these data annually to monitor success of rehabilitation and identify where changes and enhancements should be made.

- **Release Determination Recommendation 50 CFR 216.27 (a)(2)** (Appendix B)

This regulation states that the custodian of a rehabilitated marine mammal must provide the appropriate NMFS Regional Office with written notification at least 15 days prior to the release of any marine mammal to the wild, including a release plan. The pre-notification requirement may be waived in writing for certain circumstances (e.g., the typical annual cluster of cases where the etiology is known and diagnosis and treatment is routine) by the NMFS Regional Administrator in accordance with specific requirements as stated in the Stranding Agreement. The required notification (release determination recommendation) should provide information sufficient for determining the appropriateness of the release plan, including a description of the marine mammal (i.e., physical condition and estimated age), the date and location of release, and the method and duration of transport prior to release (50 CFR 216.27(a)(2)(ii)). The release recommendation should include a signed report or statement from the attending veterinarian that the marine mammal is medically and behaviorally suitable for release in accordance with NMFS release criteria (i.e., similar to a health certificate under the Animal Welfare Act). NMFS may also require a concurrence signature from the “Authorized Representative” or Signatory of the Stranding Agreement. In the case of more challenging releases such as animals considered Conditionally Releasable,” requests for release should be submitted well in advance of the 15-day period to provide adequate time for review and planning. NMFS reserves the right to request additional information and impose additional requirements in any release plan to improve the likelihood of success or to protect wild populations (50 CFR 216.27 (a)(3)). NMFS also can order other disposition as authorized upon receipt of the report (release determination recommendation)

(50 CFR 216.27 (b)(2). For guidance, see Appendix J for a Recommended Standard Checklist for Release Determination.

- **Notification of Nonrelease/Transfer of Custody**

For animals deemed “Non-releasable,” and with the concurrence from the NMFS Regional Administrator, the animal can be permanently placed in a public display or research facility or be euthanized. If the animal is to be placed in permanent captivity, the receiving facility must be registered or hold a license from APHIS [7 U.S.C. 2131 *et seq.*] and comply with MMPA (16 U.S.C. 1374 §104(c)(7)). Facilities wishing to obtain non-releasable animals should send a *Letter of Intent* to NMFS PR1 to permanently retain (i.e., if affiliated with the rehabilitation facility) or acquire the animal. This letter should include a signature of the “*Responsible Party of Record*”. As part of the decision making process NMFS will consult with APHIS and may review the, qualifications and experience of staff, transport, and placement plans (i.e., integration based on appropriate composition of species, sex, and age and the intended proposed plan for public display or scientific research). Once approved, NMFS PR1 will respond with a *Transfer Authorization Letter* and include MMDS, OMB Form 0648-0084, to be returned to NMFS PR1 within 30 days of transfer. Upon receipt of the MMDS, NMFS PR1 will acknowledge the transfer in writing and return updated MMDS to the receiving facility.

2.3.2 FWS

Requirements for the rehabilitation and release of marine mammals under FWS jurisdiction are specified under individual permits or LOAs. These requirements are specific to the species, the organization, and the activity being conducted. The required documentation for manatee rescue, rehabilitation, and release activities is provided in Appendix C.

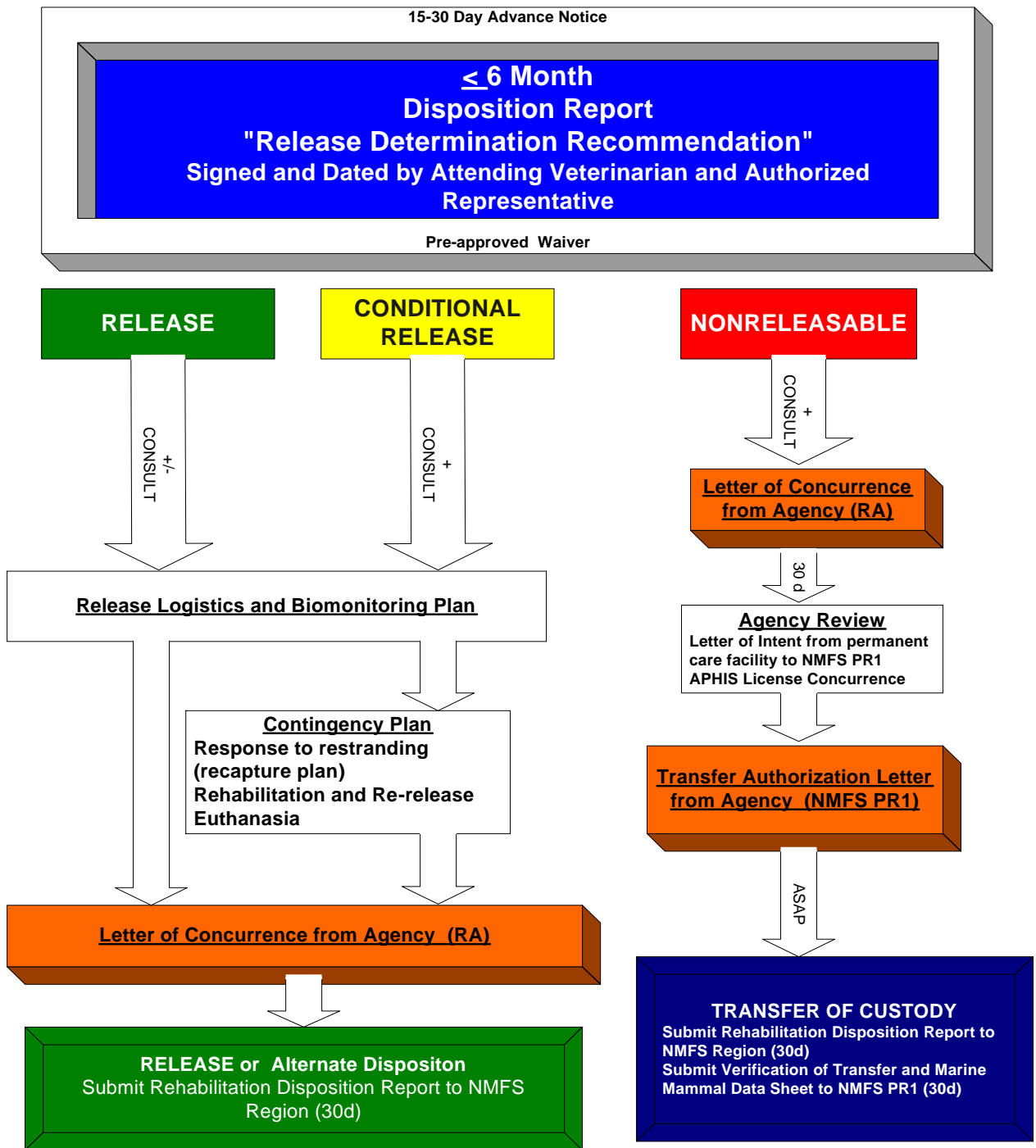


Figure 2.1 Documentation and Procedures Following Submission of the Written "Release Determination Recommendation."

2.4 Assessment Process for a Release Determination

These guidelines provide an evaluative process to determine if a stranded wild marine mammal, following a course of treatment and rehabilitation, is suitable for release to the wild. The basic format for these guidelines provides assignments for each taxonomic group (e.g., cetaceans, pinnipeds, manatees, sea otters, walrus, and polar bears) of rehabilitated marine mammals into “Release Categories.” Release potential is characterized and categorized based on a thorough assessment of the health, behavior, and *ecological status* of the animal, as well as the release plan. It is critical that detailed historical, medical, and husbandry records are maintained and reviewed. Following a complete evaluation, the attending veterinarian and Assessment Team should categorize the animal into one of the following Release Categories: **Releasable**, **Conditionally Releasable**, **Conditionally Non-releasable (for manatees only)**, and **Non-releasable**. “Conditionally Non-releasable” is only a category for manatees because the FWS has had success releasing manatees that have been in captivity in excess of 20 years. NMFS species are deemed “Non-releasable” if they have been in captivity for over two years (see 50 CFR 216.27(a)(1)(iii)) and therefore a “Conditionally Non-releasable” category is not necessary. Based on the findings from the Assessment Team, the attending veterinarian provides a recommendation on releasability to NMFS or FWS. The Agencies will review and consider this information as a part of the release determination review process.

In most release cases, NMFS requires the release of marine mammals within six months of admission to rehabilitation (50 CFR 216.27(a)). This assessment can be done at more frequent intervals or earlier in the process of rehabilitation such as for obvious nonrelease cases (e.g., neonatal cetaceans, blind or deaf animals, etc). Rather than staying in a rehabilitation situation for up to six months, it may be in the best interest of the animal to immediately assess, determine releasability, and transfer to a more suitable permanent care facility. This is particularly important for all marine mammals that need socialization or expert care.

The Assessment should include the following steps and general parameters (see Figure 2.2 on page 2-16):

- 1. Historical Assessment.** The Assessment Team should complete a historical evaluation that includes information gathered from the time of stranding through the duration of rehabilitation. Such information can impact the management of the case and determination of release. Circumstances such as an ongoing epidemic among other wild marine mammals, presence of environmental events such as a harmful algal bloom or hazardous waste spill,

acoustic insult; and special weather conditions (e.g., El Niño, hurricane, extreme cold, extreme heat, changes in oceanographic parameters, etc.) should be documented. It should be noted if the animal: had previously stranded and been released; was part of an official UME; had been exposed to other wild or domestic animals just prior to and/or during rehabilitation; or had attacked and/or bitten (including mouthing of unprotected skin) a human while being handled. This assessment should also include if the animal is evidence and part of a *human interaction* or criminal investigation. Such information can help guide the diagnostic and treatment strategy during rehabilitation and may impact the plan for post-release monitoring. It should be noted that strict measures are to be in place to prevent any disease transmission from other wild and domestic animals and humans during the rehabilitation process. Other considerations that should be taken into account include whether the animal was transferred from another facility (i.e., short-term triage/holding facility or rehabilitation facility) and the quality of care and treatment of each rehabilitation facility.

2. **Developmental and Life History Assessment.** In order to be deemed “Releasable,” all rehabilitated marine mammals should have achieved a developmental stage wherein they are nutritionally independent. **Nursing nutritionally dependent animals should not be released in the absence of their mothers.** The ability of a young marine mammal to hunt and feed itself independently of its mother is critical to successful integration into the wild. Also of great importance is achievement of a robust body condition such that the animal has adequate reserves for survival. Other developmental issues, such as reproductive status and advanced age, seldom stand alone as determinants of release candidacy but are evaluated in conjunction with the overall health assessment. The Assessment Team should seriously consider information concerning the natural life history for the species. Therefore, it is important that the makeup of the team include someone with expertise or working understanding of the species behavior and life history. Important questions to be addressed include: 1.) does the species depend on a social unit for survival or does it exist solitarily in the wild?; 2.) has the animal developed the skills necessary to find and capture food in the wild?; 3.) has the animal developed the social skills required to successfully integrate into wild societies?; 4.) is there knowledge of their home range or migratory routes?; and 5.) does the animal have skills in predator recognition and avoidance? In other words, how important is it to the survival of the animal to be released with or near other cohorts? The Assessment Team can work with NMFS to consult with outside experts to evaluate the animal and

address these questions. Greater details regarding developmental assessment are included in the appropriate section for each taxonomic group.

- 3. Behavioral and Ecological Assessment and Clearance.** In order to be deemed "Releasable," a marine mammal should meet basic behavioral criteria and some of which are specific for taxa. Across taxonomic groups, behavioral requirements for release include demonstration of normal breathing, swimming, and diving with absence of aberrant (i.e., abnormal) behavior, auditory, and/or visual dysfunction that may significantly compromise survival in the wild and/or suggest diseases of concern. The rehabilitated animal should also demonstrate the ability to recognize, capture, and consume live prey prior to its release when access to live natural prey is feasible, or, in the case of manatees, the ability to identify and feed on appropriate forage types. Because abnormal behavior may reflect illness or injury, this should be done in concert with the attending veterinarian and the medical assessment. The **behavioral clearance** should be part of the overall recommendation for release that is passed on to NMFS or FWS. Outstanding concerns regarding the behavioral suitability of the marine mammal for release are to be discussed with NMFS or FWS. Additional information is included in the behavioral assessment section for each taxonomic group.

Also included in this thought process, is the concept of **ecological status**. This concept attempts to integrate the medical and behavioral evaluations into an extrapolation of how the animal would likely do in the wild when exposed to typical ecological pressures (personal comm. Wells 2005). It goes beyond the assessment of the current condition of the animal in an artificial environment at the rehabilitation facility relative to a limited set of immediately observable or measurable parameters. It places the animal in its current rehabilitated condition in the context of life in the wild. This process recognizes the importance of a team approach, involving complementary expertise, to evaluate the probability that a rehabilitated animal will survive and thrive back in the wild. It would be useful to include in the deliberations a behavioral ecologist with knowledge of the species specific (or closely related species) solutions to ecological challenges in the wild. The behavioral ecologist would be familiar with the species habitat, including oceanographic parameters, ranging patterns, life history, feeding ecology, potential predators, social structure, and anthropogenic threats likely to be faced by the animal once it is released.

4. Medical Assessment and Clearance. Although this document focuses on the evaluation and preparation of rehabilitated marine mammals for release, the medical assessment spans the entire time the animal is in rehabilitation and is critical to understanding the animal's health prior to release. The medical assessment includes information related to any health trend and diagnostic testing, treatment, and response to treatment. The attending veterinarian should perform a hands-on physical examination upon admission and prior to the release determination. The attending veterinarian should review the animal's complete history including all stranding information, diagnostic test results (i.e., required by NMFS or FWS), and medical and husbandry records. The goal of required testing requested by NMFS or FWS is to safeguard the health of wild marine mammal populations and this is achieved by testing for diseases (*reportable diseases*) that pose a significant morbidity or mortality risk to wild populations.

Other reportable diseases include those that are of *zoonotic* or *public health and safety concern* and the agencies will require immediate notification to assure proper protocols are put into place. The agencies may request testing for other *emerging diseases* as part of a *surveillance program* to identify potential *epidemics* of concern or to determine health trends. Additional testing will be required if the animal was part of an official UME. Specific testing requirements (i.e., pre-release health screen) will come from the NMFS Marine Mammal Health and Stranding Response Program (MMHSRP) through the National Stranding Coordinator and follows the term and responsibilities stated in the NMFS Stranding Agreement. For FWS species, contact the appropriate Field Office for guidance (see Appendix H for contact information).

Throughout the rehabilitation period, the frequency of physical exams and decisions for performance of additional diagnostic testing are determined by the attending veterinarian. The animal should be closely monitored for disease throughout rehabilitation. Regardless of the precise cause of the animal's stranding, the stranding event itself and the animal's abrupt transition to a captive environment can cause significant stress, which may increase its susceptibility to disease (St. Aubin and Dierauf 2001). The rehabilitation facility may also harbor pathogens not encountered in the wild or new antibiotic resistant strains (Measures 2004, Moore *et al.* 2007, Stoddard *et al.* in press). Should the animal become infected with such a pathogen during rehabilitation, it could become ill or become a carrier of that pathogen and may pose a threat to a naïve wild population or even public health if it is released.

Introduction of pathogens from rehabilitated animals to free-ranging wild animals is a significant concern for diseases with serious *epizootic or zoonotic* potential (Gilmartin *et al.* 1993, Griffith *et al.* 1993, Spalding and Forrester 1993). Pathogens, particularly viruses, bacteria, and some protozoans, can quickly replicate in their hosts and are susceptible to selective forces that can drive microbial adaptation and evolution leading to changes in transmission rates, virulence, and pathogenicity via genetic modification (Ewald 1980, 1983, 1994; Su *et al.* 2003). Thus, infectious agents may become more pathogenic as they pass through new individuals and naïve species.

The attending veterinarian is urged to utilize the full spectrum of diagnostic modalities available for health assessment of the animal. In addition to basic blood work, serology, microbial culture, cytology, urinalysis, and fecal exam, advanced techniques for pathogen detection such as Polymerase Chain Reaction (PCR), microarrays, and toxicology assessments are also available. A number of imaging techniques including radiology, bronchoscopy, and laparoscopy may also be utilized. The marine mammal literature has expanded to include numerous references on the performance and interpretation of diagnostic tests (see references and Appendices D, E, F, and G for partial list).

Except as otherwise noted, acquisition of blood for a complete blood count (CBC) and chemistry profile plus serum banking may be required by NMFS and FWS upon admission of a marine mammal to a rehabilitation facility. Such blood work should to be repeated by the original laboratory, to avoid problems with inter-laboratory variability, prior to release of the marine mammal. Microbial culture and isolation (i.e., aerobic and anaerobic bacterial, viral, fungal) should be a part of the medical evaluation and done upon admission and before exit from rehabilitation centers. Such paired tests help determine the types of pathogens that a marine mammal may have acquired in the wild and those that may have been acquired during its rehabilitation. Because the number of pinnipeds entering a rehabilitation facility annually may be quite high and presenting with similar diagnosis, particularly in El Niño years, NMFS may waive additional clinical evaluation as mentioned above for each pinniped but instead require that a percentage of these animals entering a facility have a thorough clinical work-up. This will be dependent on several factors, such as the stranding location, time of year, the clinical diagnosis upon admission, and disease status of the wild population (e.g., ongoing outbreaks, UMEs, etc). For walrus and polar bears, testing requirements will be on a case-by-

case basis. The NMFS or FWS stranding coordinator can provide guidance on this and other recommendations mentioned above.

The attending veterinarian interprets the results of blood work and additional diagnostic tests in light of physical exam findings, the animal's age, reproductive status, molt status, behavior, and other relevant or historical factors. Circumstances surrounding the stranding, recent environmental events, known health issues of resident wild marine mammals, and exposure to other animals are examples of historical factors that may provide information regarding the health status of the stranded marine mammal. The attending veterinarian should also consider if the animal was held in close proximity to other animals (e.g., penmates) undergoing rehabilitation and the disease history of those animals (e.g., within facility transmission). A number of references provide data useful for the interpretation of marine mammal diagnostic tests. Appendices E, F, G and H provide information on diseases of concern for cetaceans, pinnipeds, manatees and sea otters.

5. Release Considerations.

- a. Required Identification Prior to Release.** Marine mammals must be marked prior to release for individual identification in the wild (see 50 CFR Sec. 216.27(a)(5) for species under NMFS jurisdiction). Examples of identification systems include flipper roto tags, flipper All-Flex tags, flipper Temple tags, passive integrated transponder tags (PIT tags), radio tags, satellite tags, and freeze branding (Geraci and Lounsbury 2005). Invasive tag application procedures should be done under the direct supervision of the attending veterinarian and will need prior approval from NMFS and FWS and may require a monitoring period following the procedure. Proper photo identification for some species should also be considered part of the protocol. Standard identification protocols exist for various groups of marine mammals that detail the methods and procedures for marking for future identification in the wild, and are included in the appropriate section for each taxonomic group. Contact the Agency stranding coordinator for additional information.

As described, roto tags or flipper tags (basic tags) for cetaceans and pinnipeds (except walrus) are to be obtained from or coordinated through the NMFS Regional Stranding Coordinator. For FWS species, tags for walrus are to be obtained from the *USGS* and tags for polar bears are obtained from FWS. Tags for manatees are to be

obtained from FWS or the appropriate State Agency. Tags for sea otters are obtained by each individual LOA or permit holder.

Depending on the species, if the animal restrands or the tag is found, this information should be reported to the appropriate NMFS or FWS and/or USGS Stranding Coordinator. The NMFS National Marine Mammal Stranding Database centrally archives tag data for NMFS species. The FWS and/or USGS track these data for walruses, sea otters, and polar bears. For manatees, the State agencies maintain the tag data.

b. Release Site Requirements and Recommendations. Rehabilitated marine mammals are to be released to the wild under circumstances that reflect the natural history of their species and maximize the likelihood for their survival. This will vary with age and sex of the individual. Timing should be set to minimize additional energetic and social demands, and maximize foraging success and ease of social acceptance with conspecifics. For NMFS species, information regarding the date, location, and logistics of the release and any other information requested are included in the required 15-day advance notification of the Agency prior to release as cited in 50 CFR 216.27 (a)(2). Key factors in determining a release site include specific habitat, geographic and environmental factors such as weather and oceanographic states, past successful releases, public use, potential for predators, and availability of prey as well as transport time. Maintenance of stock fidelity, proximity of conspecifics, timing in relation to breeding seasons and migration activities are also crucial considerations. As the natural history of each species provides the framework for planning a release, greater details for each taxonomic group are provided in the appropriate section of this document.

6. Post-Release Monitoring. Post-release monitoring is a key method by which the efficacy of rehabilitation efforts can be assessed and revised. Such monitoring may also provide an opportunity to recover individuals that are unable to readjust to the wild. Simple post-release monitoring plans include such methods as visually tracking tagged or marked animals by land, air, or sea. More costly radio-telemetry and satellite tracking are highly desirable methods of post-release monitoring as they provide detailed information of the movement and behavior of released marine mammals. Post-release monitoring is recommended for all

rehabilitated marine mammals and is required for some taxonomic groups, such as cetaceans and manatees, depending on release category. The intensity of post-release monitoring efforts is determined by such factors as the age and species of the marine mammal, its status as threatened or endangered, and concerns regarding its health or developmental issues that may impact its ability to readjust to the wild. Advanced post-release monitoring techniques may be required for "Conditionally Releasable" animals when significant concerns regarding their chances of survival exist. All post-release monitoring plans for rehabilitated marine mammals are to be approved in writing by, and coordinated with, NMFS or FWS. NMFS may require the submission of follow-up monitoring summaries at specified intervals post-release (e.g., 90 day intervals), until such time as contact with the animal has ended. The final update should include tracking data and an evaluation of the success of the rehabilitation and release along with recommendations for future cases. NMFS may use these data in order to make future revisions to marine mammal rehabilitation and release guidelines. In order to compare individual cases, standardization of data collection protocols for monitoring released animals is highly recommended and may be required by NMFS. Formal study of monitoring data and its dissemination to the stranding network will aid in the assessment of marine mammal rehabilitation and release programs.

2.5 Emergency or Special Situations

NMFS and FWS are responsible for monitoring and protecting the health of wild marine mammal populations. To fulfill this responsibility, and as stated in the NMFS Stranding Agreements, these agencies may require or recommend increased documentation, testing, and/or post-release monitoring of rehabilitated marine mammals when a stranding event appears to be related to wide spread environmental events such as algal blooms, hazardous waste spills, outbreaks of disease, UMEs, etc. An increased incidence of illness or injury to marine mammals may prompt NMFS or FWS to require specific diagnostic testing as part of a surveillance program and additional communication regarding case outcomes. NMFS and FWS personnel are to provide Stranding Network Participants and rehabilitation facilities with this information and may be able to provide additional funding and other support regarding such circumstances. For example, NMFS holds contracts with specific diagnostic labs that can provide services for rehabilitation facilities free of charge.

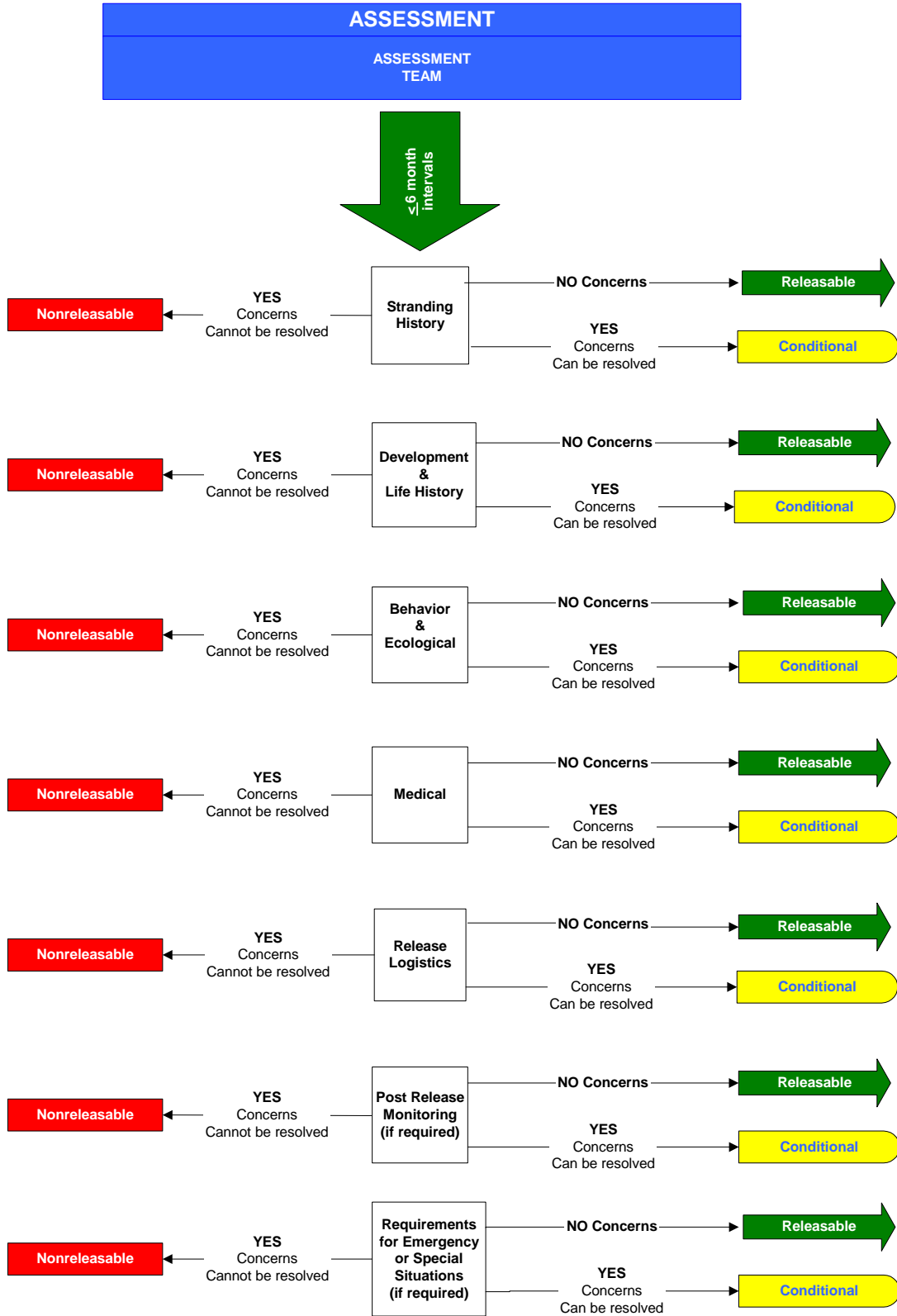


Figure 2.2 Steps and General Parameters for Animal Release Assessment

3. Guidelines for Release of Rehabilitated Cetaceans

3.1 Introduction

Few species of cetaceans (i.e., primarily bottlenose dolphins, rough-toothed dolphins, grampus dolphins, and harbor porpoise) are rehabilitated in the United States each year. Although the natural history of cetaceans differs among the various species, the general release criteria set forth in this document are applicable to all cetaceans in the United States. Prior to the release of any cetacean, NMFS requires that a thorough evaluation of the historical, developmental, behavioral, and medical records and status be completed by the Assessment Team (i.e., Stranding Network Participant, attending veterinarian, animal care supervisor, and biologist with knowledge of species behavior, ecology, and life history). For all cetacean cases, a release determination recommendation must be sent to the NMFS Regional Administrator at least 15 days (typically 30 days) in advance of a proposed release date. Waivers for advanced notice are not generally considered in cetacean cases. The release determination recommendation must include a signed statement from the attending veterinarian in consultation with their Assessment Team that the animal is **medically and behaviorally suitable for release in accordance with the release criteria** and include a written release plan and timeline. The request should also include a statement(s) from an expert biologist(s) with knowledge of the species or similar species that is being considered for release and should state that the animal meets behavior and ecological criteria for release in accordance with the release criteria. NMFS may recommend or require additional testing beyond these guidelines for reportable diseases in light of new findings regarding various disease and health issues. A release plan will require a justification statement and detailed description of the logistics for transporting, tagging, location, timing, crowd control, media coordination (if applicable), post-release monitoring, and recovery should the animal fail to thrive. NMFS may require a recapture contingency plan if the animal appears to be in distress or poses a risk following a specified time after release. NMFS may consult with individual experts for further guidance. NMFS reserves the right to impose additional requirements in the release plan as stated in 50 CFR 216.27 (a)(3).

3.2 Overview of “Release Categories” for Cetaceans

Cetaceans evaluated at rehabilitation facilities can be grouped into one of three “Release Categories” based on historical, developmental, behavioral, ecological, and medical criteria set forth in a **standardized checklist**. It is recommended that the standardized checklist (see Appendix J) be used to assess and document the release candidacy of rehabilitated cetaceans. The checklist includes a

health statement (i.e., health certificate) to be signed by the attending veterinarian and authorized representative, which verifies that a cetacean meets appropriate standards for release. This checklist could be used to determine and document releasability (i.e., as part of the required documentation sent to NMFS – refer to Figure 2.1) and as a final check just prior to release.

The case should fit into one of three **“RELEASE CATEGORIES:”**

1. **“RELEASABLE”**: This category indicates that there are no significant concerns related to the likelihood of survival in the wild and/or risk of introducing disease into the wild population. Also, the animal meets basic historical, developmental, behavioral, ecological, and medical release criteria. The release plan has been approved in writing by NMFS Regional Administrator via a letter of concurrence to the applicant.
2. **“CONDITIONALLY RELEASABLE”**: This category indicates that there are concerns about the historical, developmental, behavioral, ecological, and/or medical status of the animal, raising a question of survival or health risk to wild marine mammals. A cetacean may be deemed conditionally releasable if requirements for release cannot be currently met but may be met in the future without compromising the health and welfare of the individual animal. In such cases, more time may be needed to determine the feasibility of release (see 50 CFR 216.27(a)(1)(iii)).

All “Conditionally Releasable” cetaceans must be discussed with NMFS. For some cases, NMFS may consult with individual experts to seek additional advice. The experts may include scientists and veterinarians with expertise in cetacean biology and medicine (i.e., particularly experts with species-specific knowledge). These discussions may reveal that additional medical testing, rehabilitative therapy, and strategies for post-release monitoring may be required to release a “Conditionally Releasable” cetacean.

3. **“NON-RELEASABLE”**: This category indicates that there are significant historical, developmental, behavioral, ecological, and/or medical concerns regarding its release to the wild. It has a documented condition demonstrating little chance for survival in the wild and/or a diagnosed health risk to wild marine mammals. This category also includes animals that have been in rehabilitation greater than two years (see 50 CFR 216.27(a)(1)(iii)). Additionally, a cetacean may be deemed “Non-Releasable” if an appropriate release site or post-release monitoring plan cannot be arranged.

For animals deemed “Non-releasable,” and with the concurrence from the NMFS Regional Administrator, the animal can be permanently placed in a public display or research facility or

euthanized. If the animal is to be placed in permanent captivity, the receiving facility must be registered or hold a license from APHIS [7 U.S.C. 2131 *et seq.*] and comply with MMPA (16 U.S.C. 1374 §104(c)(7)). Facilities wishing to obtain non-releasable animals should send a *Letter of Intent* to NMFS PR1 to permanently retain (i.e., if affiliated with the rehabilitation facility) or acquire the animal. This letter should include a signature of the *Responsible Party of Record*. As part of the decision making process NMFS will consult with APHIS and may review the qualifications and experience of staff, transport, and placement plans (i.e., integration based on appropriate composition of species, sex, and age and the intended proposed plan for public display or scientific research). Once approved, NMFS PR1 will respond with a *Transfer Authorization Letter* and include MMDS and OMB Form 0648-0084, to be returned to NMFS PR1 within 30 days of transfer. Upon receipt of the MMDS, NMFS PR1 will acknowledge the transfer in writing and return updated MMDS to the receiving facility.

3.3 Historical Assessment of Cetaceans

Historical stranding information may guide the management of rehabilitation and the plan for post-release monitoring. Important historical information should include:

- 1. A record of previous stranding** – Stranded cetaceans that have previously stranded and been released, and subsequently strand again, are deemed “Conditionally Releasable” for further release attempts pending consultation with NMFS. Such animals should be reassessed and as they may have underlying health issues requiring additional evaluation, diagnostic testing, and advanced post-release monitoring. Alternatively, such cetaceans may be assessed as “Non-Releasable” and be transferred to permanent captivity or euthanized.
- 2. A mother-calf pair** – A stranding of a mother/calf pair may be the result of illness or injury to either the mother, calf, or both. If the calf dies or is euthanized, the mother could be considered for release following a thorough and appropriate assessment. If the mother dies or is euthanized, a dependent calf is likely non-releasable because it cannot forage on its own and should be placed in permanent captivity or euthanized.
- 3. An association with an ongoing epidemic among other wild marine animals or a UME** – If the stranding of a cetacean occurs close to (i.e., temporally and geographically) an ongoing epidemic of wild marine animals or to a UME, fish kill, harmful algal bloom, hazardous waste spill, or other such environmental event, the cetacean is deemed “Conditionally Releasable” and consultation with NMFS is required. NMFS may request additional testing, documentation, and/or post-release monitoring of such cetaceans.

- 4. Stranding location and active/home range** – Stranded cetaceans may be deemed “Conditionally Releasable” if they stranded in areas where there is an increase in human activity (e.g., active fishery, increased recreational use, military activity, shipping activity, etc.) or hazardous environmental conditions (e.g., harmful algal bloom or hazardous waste spill, and/or special weather conditions like El Niño, hurricane, extreme cold, extreme heat, etc.). The geographical distance between the stranding location and the rehabilitation facility is important to acknowledge, as there could be important differences in the microflora in the facility’s water system. Information on areas of human activity and environmental hazards is also vital for determining an appropriate release site.
- 5. The animal has been exposed to (or injured by) other wild or domestic animals** – Stranded cetaceans with a history of exposure to terrestrial wild (e.g., raccoons, coyotes, etc.) or domestic animals (e.g., cats, dogs, etc.) are deemed “Conditionally Releasable” and must be discussed with NMFS. There is a potential for zoonotic pathogens to be transmitted between wild or domestic animals to marine mammals but signs of clinical disease are undetectable. Additional testing may be required to better assess the health status and decrease the potential for transmitting diseases of concern to wild marine mammal populations following release. Consultation with NMFS is required for cetaceans that have a history of exposure to terrestrial animals.
- 6. The animal was transferred from another holding, triage or rehabilitation facility** – The opportunity for exposure to pathogens can occur at different stages of response and rehabilitation. Therefore, it is important to obtain medical records and document the quality of care and treatment at each stage of this process.
- 7. The animal was evidence or part of a human interaction or criminal investigation** – **This includes an investigation by** NOAA Office of Law Enforcement, the U.S. Department of Justice, or other Federal, state or local authorities.
- 8. The animal was part of a mass stranding (stranding involving more than one cetacean if not a cow-calf pair)** – Mass strandings are typically influenced by behavior, with the majority of stranded animals being healthy but in need of assistance to return to the ocean. If a stranding response can be mounted quickly and safely and the animals are assessed and deemed healthy, individuals of a mass stranding may be released or relocated for immediate release. However, some individuals may be admitted into rehabilitation and may be “Conditionally Releasable” based on the pathologic findings of the pod mates that perished during the event.

9. **The animal was transferred from a research facility or undergoing permitted research during rehabilitation** – Research activity may extend the frequency and intensity of handling time and could increase the risk of altering behavior or increasing the chance of exposure to facility pathogens or chemicals (e.g., anesthetic agents, metabolic agents, etc). These animals will be considered “Conditionally Releasable” or “Nonreleasable.”

3.4 Developmental Assessment of Cetaceans

A fundamental criterion for developmental clearance of a rehabilitated cetacean is that it has attained a sufficient age to be nutritionally independent, including the ability to forage and hunt. The cetacean calf grows from a state of total nutritional dependence through nursing to partial maternal dependence as it learns to forage for fish and/or squid. Eventually the young cetacean achieves total nutritional independence and forages completely on its own. Factors including individual and species variations, rehabilitation practices, health status, plus environmental factors affect the rate at which such development occurs (see Appendix I for Developmental Stages by Cetacean Species). For bottlenose dolphins (*Tursiops truncatus*), the age at which a calf may be completely weaned is approximately 1-4 yrs. Calves that are nutritionally dependent at the time of admission to rehabilitation are automatically placed in the “Conditionally Releasable” category and must be discussed with NMFS. In situations where a nursing, dependent calf strands with its mother and both animals achieve medical, behavioral and ecological clearance, the calf must be released with its mother. Very young nursing calves that strand alone or whose mothers die may lack socialization and basic acquired survival skills as they grow older. Neonatal and very young nursing calves will be deemed “Non-Releasable.” Cases involving older calves and juveniles having some foraging skills may be considered “Conditionally Releasable” but require a thorough assessment and optimum planning for release and subsequent monitoring.

Reproductive status in and of itself does not impact release candidacy unless a female strands with its calf or gives birth during rehabilitation. For instance, a single pregnant female should be returned to the wild as soon as both medical and behavioral clearance has been achieved and NMFS approves of the release plan. However, all mother-calf cetacean pairs are deemed "Conditionally Releasable" and must be fully discussed with NMFS and its advisors. The well-being of both the mother and the calf is to be carefully considered in such cases. Efforts should be made to reduce their time in captivity and to keep the mother-calf pair together, yet allow for continued treatment and rehabilitation of both individuals if warranted.

Cases involving cetaceans showing signs of advanced age are considered "Conditionally Releasable" and should also be thoroughly evaluated and discussed with NMFS. Although it is not always feasible to precisely determine the age of a living adult cetacean, the physical condition of the animal may suggest to the Assessment Team that it is geriatric. Geriatric animals may have underlying clinical conditions that contributed to their stranding or may be behaviorally or ecologically unsuited for continued life in the wild.

3.5 Behavioral Assessment of Cetaceans

Complete assessment of the behavior and ecological potential may be limited by the confines of a temporary captive environment and behavior of the animal will differ from that displayed in the wild. A full understanding of what constitutes "normal" for a given cetacean species also may be lacking. Behavioral and ecological clearance is thus founded on evaluation of basic criteria necessary for the survival of the animal in the wild. Behavioral evaluation often overlaps with medical evaluation as abnormal behavior may indicate an underlying disease process. Experts with species specific knowledge of cetacean behavior and ecology, in addition to the attending veterinarian, should assess the behavior of the rehabilitated cetacean. These assessments should involve closely evaluating and documenting behavior throughout rehabilitation (i.e., *ethogram*), relating the behavioral, sensory, and physical capabilities of the animal to its prospects of surviving and thriving in the wild.

To achieve basic behavioral clearance, a cetacean should breathe normally, including rate, pattern, quality, and absence of respiratory noise. A cetacean should swim and dive effectively without evidence of aberrant behavior or auditory or visual dysfunction that may compromise its survival in the wild or suggest underlying disease that may threaten wild marine mammals. Behavioral clearance also should include confirmation that the cetacean is able to recognize, capture, and consume live prey when such tests are practical (for example, it may not be possible to obtain live prey for offshore or deep water species). Documented dependency on or attraction to humans and human activities in the wild would warrant special consideration as a possible conditional release or non-release decision.

Basic behavioral conditioning of wild cetaceans for husbandry and medical procedures may be necessary during rehabilitation as long as every effort is made to limit reinforced contact with humans. Station training may be necessary to assure animals are appropriately fed and to control social dominance when multiple animals are being treated in the same pool or pen. Also, such conditioning may reduce stress for the animal during examinations and acquisition of biological samples. Behavioral conditioning of cetaceans is to be done for the shortest time necessary to achieve

rehabilitation goals and is to be eliminated prior to release such that association of food rewards with humans is diminished. Additional information on behavioral conditioning of marine mammals is provided in the references.

3.5.1 Breathing, Swimming, and Diving

The Assessment Team should evaluate respiration at the pre-release exam to determine that the animal does not exhibit abnormal breathing patterns or labored breathing. Respiratory measurements should be standardized to record the number of breaths per five-minute intervals. Evaluation of swimming and diving should confirm that the cetacean moves effectively and does not display abnormalities such as listing, difficulty submerging, asymmetrical motor patterns, or other potentially disabling conditions. In small pools (i.e., less than 50 ft diameter), cetaceans may not be able to demonstrate a full range of locomotor and maneuvering abilities; therefore, evaluation in larger pools is highly recommended. Cetaceans exhibiting persistent abnormalities of breathing, swimming, or diving, are to be considered “Conditionally Releasable” or “Non-releasable” and must be discussed with NMFS.

3.5.2 Aberrant Behavior

The behavioral clearance of the cetacean should include confirmation that the animal does not exhibit aberrant behavior. Examples of aberrant behavior include, but are not limited to, regurgitation, head pressing, postural abnormalities such as repetitive arching or tucking, decreased range of motion, abnormal swimming or breathing as described above or excessive interest in interaction with humans. Cetaceans displaying abnormal behavior may have an underlying disease process or may have permanent injury or tendencies that will decrease their chance of survival in the wild. Cetaceans displaying aberrant behavior are considered “Conditionally Releasable” or “Non-releasable” and thus are to be fully discussed with NMFS.

3.5.3 Auditory and Visual Acuity

The behavioral and ecological clearance of the cetacean should include evaluation of auditory and visual acuity. Auditory dysfunction, involving production or reception of typical sounds or signals occurring in the wild, may be a reflection of active disease, permanent injury, or degenerative changes associated with aging. Evaluators may suspect that a cetacean has compromised auditory function if it appears to have difficulty locating prey items or various objects via echolocation or if it minimally responds to novel noises. Reduced auditory abilities can compromise the ecological

functionality and social abilities of some species, thus reducing the probability of survival in the wild. In each case, it is highly recommended that hydrophone-recording systems with an appropriate frequency response be used to record sound production in the water to document production of normal classes and qualities of sounds made by the cetacean. It is important to evaluate hearing if there are signs of compromised auditory function and diagnostic testing such as auditory evoked potential (AEP) may be necessary to further evaluate the animal. Such testing requires approval and coordination with NMFS. Cetaceans having discoloration, swelling, abnormal shape, position or appearance of the eye or eyelids may have visual dysfunction and also require discussion with NMFS.

3.5.4 Prey Capture

The rehabilitated cetacean should demonstrate foraging behavior (i.e., the ability to hunt and capture live prey) prior to its release when practical. Normal consumption of solid food should also be part of the medical assessment. This demonstrates the ability to swallow and that there is no pharyngeal and/or gastrointestinal abnormalities. This evaluation is especially important for young and geriatric animals. Prey items normally found in the animal's environment and of good quality should be used whenever possible. Natural prey items may not be available for rehabilitating pelagic cetacean species; evaluators may try to utilize other prey species. However, many cetaceans often will not consume non-prey species. For social species, it may be just as important to look for cooperative or coordinated feeding behavior. NMFS should be notified if a rehabilitated cetacean appears compromised in its ability to recognize and/or capture live prey or if logistical issues preclude assessment of this behavior.

Cetaceans that are believed to have had limited foraging experience prior to stranding (i.e., young juveniles) require particularly careful assessment of prey capture ability. This behavior is learned and cetaceans that strand at a young age may not have gained adequate foraging skills to sustain themselves in the wild. Also, knowledge of the natural history of the species may be useful. If the species forages and hunts as a social unit, this may affect its ability to survive in the wild if released as a solitary animal. Similarly, amputated appendages may preclude the use of some specialized feeding techniques or attainment of sufficient speed or maneuverability for prey capture, or diminished auditory function may prevent individuals that prey on soniferous (i.e., noise-producing) fishes from locating sufficient prey to survive (e.g., coastal bottlenose dolphins).

3.5.5 Predatory Avoidance

Testing a cetacean's ability to avoid predators is not practical in most cases, but indirect evidence of abilities can be evaluated. If the individual is determined to have stranded primarily as a direct result of a shark attack (as opposed to secondarily, as an attack on an otherwise compromised animal), then this suggests that the animal may lack the skills or physical abilities to continue to survive in the wild. This would be especially important in the case of young animals, recently separated from their mothers. For social species, observations of group behavior may indicate the cohesiveness of the group which is an important behavioral mechanism for predatory avoidance.

3.5.6 Social Factors

The survival of an individual cetacean may be critically dependent on social organization and conspecifics (see Appendix I for Cetacean Species Specific Group Occurrence). A tremendous range of variability of sociality exists across the cetaceans. Members of species involved in mass strandings (i.e., presumably a social species) should not be rehabilitated singly or in unnatural social groups. The composition of these groups should be carefully considered when animals are recovered from a stranding and considered for release. It would be naïve to assume that any two cetacean species can be put together to form a functional social unit or that even two unfamiliar members of the same species will bond into a functional social unit. Therefore, for social species it is important to assess the group dynamics and behavior (*reasonable social group*) in the same manner as for individuals. Cetaceans that do not live in social groups do not necessarily require conspecifics for release, as long as they are released into an appropriate habitat where conspecifics are likely to occur. Indications of social problems that may be a contributing factor of the stranding (e.g., evidence of extensive fresh tooth raking marks in the absence of other medical factors) and should be considered. Other factors that are important for proper socialization and should be evaluated include hearing, sound production, missing appendages, and missing teeth.

3.6 Medical and Rehabilitation Assessment of Cetaceans

The medical assessment includes information related to any diagnostic testing, treatment, and response to treatment. The attending veterinarian should perform a hands-on-physical examination upon admission and prior to the release determination. The attending veterinarian should review the animal's complete history including all stranding information and diagnostic testing, and medical and husbandry records. The primary goal of the testing required by NMFS is to determine the risk to the health of wild marine mammal populations. This is achieved by testing for diseases that pose a

significant morbidity or mortality risk to wild populations (i.e., reportable diseases). Those that are zoonotic or a public health and safety concern require immediate NMFS notification to assure proper protocols are put into place. Additional testing will be required if the animal was part of an official UME or suspected anthropogenic exposure (e.g., acoustic insult, hazardous waste spill, etc.). NMFS may request testing for other emerging diseases to support surveillance for potential epidemics of concern and to monitor changes in disease status due to rehabilitation practices. The directive for the pre-release health screen will come from the NMFS Regional Stranding Coordinator through the MMHSRP. Appendix D lists diseases of concern for cetaceans.

A complete health screen should be completed upon admission and just prior to release including basic blood collection for a CBC, chemistry profile (including BUN and creatinine, enzymes and electrolytes), serology, microbial and fungal culture (i.e., blow hole, rectal, ocular, and lesions), cytology, urinalysis, and fecal exam. If the animal is female and at reproductive age, it is advisable that pregnancy be determined as soon as possible to avoid potentially fetal toxic medication. Serum (3ml/each) should be banked at the time of admission and just prior to release for retrospective studies. Cessation of antibiotics should occur two weeks prior to release examination to assure that the animal is no longer dependant on the medication and that the drug has cleared based on the pharmacokinetics and requirements made by the veterinary community and the Food and Drug Administration. Some antibiotics clear the body quickly and require shorter withdrawal time. When this recommendation cannot be met, seek advice from NMFS. **The attending veterinarian should provide written notification to the NMFS Regional Stranding Coordinator that a health screen and assessment of the cetacean has been performed. The notification must also include the final release plan and a plan for hands-on physical examination by the attending veterinarian (including last blood draw and evaluation) within 72 hours of its release. The required documentation and signed release determination will be part of the administrative record along with the signed (by the NMFS Regional Administrator) letter of concurrence approval for release.**

It is of extreme importance that the cetacean be monitored closely for disease throughout its rehabilitation. Regardless of the stranding etiology, handling and care can stress the animal increasing its susceptibility to disease. If not properly managed, rehabilitation facilities provide an environment where mutated or novel pathogens not typically encountered in the wild can easily be transmitted from animal to animal. This scenario can become problematic if an animal is exposed during rehabilitation and may carry a pathogen to a naïve wild population upon release. Introduction

of pathogens from rehabilitation centers to the wild is a concern as diseases with serious epizootic potential have previously been detected (Measures 2004, Moore *et al.* 2007, and Stoddard *et al.* in press). During rehabilitation, infectious agents may become altered (i.e., change in virulence and infectivity) as they pass through new hosts or mix with other microbes and potentially result in a multi-antibiotic resistance strain.

The attending veterinarian is urged to utilize the full spectrum of diagnostic modalities available for health assessment of the cetacean. In addition to the complete health screen analyses, advanced techniques for pathogen detection such as PCR and toxicology analyses are available. A number of diagnostic imaging techniques including radiology, CAT scans, and MRI may be used as well as bronchoscopy and laparoscopy. The cetacean literature has expanded to include numerous references on the performance and interpretation of diagnostic tests.

3.7 Release Site Selection for Cetaceans

Ideally, the rehabilitated cetacean is released into its home range, genetic stock, and social unit. For species such as coastal resident bottlenose dolphins, returning the animal to its exact home range may be extremely important. For widely ranging species such as the pilot whale, specificity of the release site may be less critical as the genetics of these cetaceans may be more *panmictic*. Returning the animal to its home range or species range may increase the likelihood that the animal will have a knowledge of available resources, potential predators, environmental features, and social relationships that would support its successful return to the wild. Consideration should also be given to the time of year, since the range of the animal may change based on season and where conspecifics are along their migration route at a given point in time.

In many cases, the precise home range of the individual will not be known. There may not be any information regarding the animal's social unit or its individual ranging patterns prior to its stranding. In some cases, photographic identification records may help identify the home range or social group for some species. When the home range of the cetacean is unknown, the animal should be released at a location near to its stranding site that is occupied regularly by its conspecifics, ideally those of the same genetic stock. Genetic analyses of a tissue sample via a qualified laboratory and appropriate tissue archive may aid with determining the appropriate stock of origin. Pelagic cetaceans are to be released offshore into a habitat occupied by conspecifics at that time of year. For animals that mass strand, depending on the life history, social units should be maintained whenever possible thus cetaceans that stranded together should be released together as a group. Because much of cetacean

behavior is learned, juveniles should be released with adults or in the presence of conspecifics and mothers with their dependent young.

Other factors to be considered in release site selection are availability of resources and condition of the habitat. NMFS and the Stranding Network Participant are to ensure that severely depleted resources or degraded habitat at the release site do not pose an obvious threat to the released animal. Release plans should include alternative release sites or schedules if there is a substantial decline in resources or habitat quality such as massive fish kills, significant declines in commercial and/or recreational fish landings, harmful algal blooms, or high concentrations of environmental contaminants. Animals should not be released into areas of dense public use and/or high commercial and recreational fishing activity.

3.8 Marking for Individual Identification of Cetaceans Prior to Release

Three forms of identification have routinely been used for cetaceans including photo-identification (documenting individual identifying physical characteristics such as scars, color pattern, dorsal fin shape, etc.), freeze branding, and dorsal fin tags. NMFS recommends the use of all three forms of identification for all releases. For delphinids, photo-identification should include body, face, dorsal fin, flukes, and pectoral flippers. Numerical freeze brands should be at least 2" high and may be placed on both sides of the dorsal fin and/or on the animal's side just below the dorsal fin, except for species that lack a dorsal fin or have small dorsal fins such as the harbor porpoise. Roto-tags should be attached on the trailing edge of the dorsal fin. Tag application and freeze branding should only be done by experienced personnel as improper tagging may cause excessive tissue damage, infection, or premature loss of the tag or mark. Marking of non-delphinid cetaceans can be more challenging due to unique anatomical features and should be determined in consultation with NMFS. NMFS must receive advance notification of and approve any additional forms of identification that a rehabilitation facility voluntarily wants to place on a cetacean besides those mentioned above. NMFS authorization is required prior to placement of VHF radio or satellite-linked radio tag.

The identification system to be used on cetaceans deemed "Conditionally Releasable" must be approved by NMFS. As these animals are required to have an advanced post-release monitoring plan, conditionally releasable cetaceans will often require VHF or satellite tagging in addition to photo-identification, freeze-branding, and placement of a visual fin tag.

3.9 Post-Release Monitoring of Cetaceans

Few data is currently available regarding the long-term fates of released cetaceans. Post-release monitoring provides essential information to develop and refine marine mammal rehabilitation and release practices. “Conditionally Releasable” cetaceans should be monitored daily for at least two months after release. The specific post-release monitoring plan for each cetacean is to be coordinated through NMFS. Post-release monitoring methods may include visual observations from land, sea, or air, and/or radio or satellite-linked monitoring. It is understood that post-release monitoring of cetaceans, particularly pelagic species, is an extensive undertaking for which significant support is required, often from multiple sources. In a few instances, NMFS has provided resources such as financial support, personnel, and equipment for post-release monitoring but it is not standard practice. Therefore, the rehabilitation facility is encouraged to seek funding to enhance their post-release monitoring program.

The first month after release is a particularly critical period during which it will become evident whether the animal is thriving, including avoiding predators, capturing sufficient prey, and being accepted by conspecifics. For coastal species it is recommended that monitoring continue on a regular basis for at least one year. Funding resources, such as the Prescott Grant Program, can assist with the financial burden of such endeavors. NMFS requires periodic and final reports on released animals. These reports will facilitate future revisions to the marine mammal rehabilitation and release guidelines. In order to compare individual cases, standardization of data collection protocols for monitoring released cetaceans will be required. NMFS will provide the stranding network with the desired format for receipt of tracking data in reports. Presentation, discussion, and formal study of monitoring data and its dissemination to the stranding network will aid in the assessment of cetacean rehabilitation and release programs.

Release plans should include the contingency plans that are available for recovering the animal, should monitoring indicate its failure to thrive. The release plans should also address treatment and euthanasia if the animal is retrieved or restrands. In addition, NMFS may require such contingency plans for “Conditionally Releasable” cetaceans, depending on the circumstances.

3.10 Decision Tree – Cetacean Release Categories

3.10.1 Releasable

The cetacean is cleared for release by the attending veterinarian (including the Assessment Team) and the NMFS Regional Administrator concurs in writing. This means that the requirements for the health and behavior assessment, marking/tagging, and release plan have been met and both veterinary and biological opinions regarding release have been received (see text for details). For an animal to be considered “releasable” the response to all of the essential release criteria below should be met.

History

Cetacean has no historical information requiring consultation with NMFS such as stranding in close temporal or geographic relation to a UME, stranding associated with an environmental event of concern, an acoustic insult, a human interaction or criminal investigation, or a mass stranding.

Developmental Stage/Life History

- a) Cetacean has attained sufficient size and age to be nutritionally independent.
- b) Cetacean is not a female with calf.
- c) Cetacean is not a geriatric animal and not compromised due to age related conditions.
- d) Cetacean was not exposed to captive or domestic animals during rehabilitation.

Behavioral Clearance

- a) Cetacean breathes normally, swims and dives effectively.
- b) Cetacean does not exhibit aberrant behavior, auditory, or visual deficits.
- c) Cetacean demonstrates appropriate foraging ability.
- d) Cetacean did not strand as direct result of a failure to avoid predators.
- e) Cetacean did not strand as a result of taking food from humans in the wild.
- f) Cetacean did not strand as a direct result of a demonstrated inability to obtain sufficient food in the wild.
- g) Cetacean did not strand as a direct result of conspecific injury.

Medical Clearance

- a) Health status of the cetacean is deemed appropriate for release by the attending veterinarian.
- b) Hands-on physical exam by the veterinarian at time of admission to rehabilitation and within 72 hours of release.
- c) Laboratory tests performed at time of admission and within seven days of release are complete and submitted for review:
 - CBC;
 - Chemistry Profile to include: Glucose, Sodium, Potassium, Chloride, Calcium, Phosphorus, Iron, Bicarbonate, Alkaline Phosphatase, ALT, AST, GGT, BUN, Creatinine, Uric Acid, CPK;
 - Serum Banking (3 ml upon admission and 3 ml at time of release, more if available; and
 - Aerobic Bacterial Cultures (Blowhole, Rectal, Lesions).
- d) Cetacean is free of drugs (excluding sedatives used for transport) a minimum of 2 weeks prior to release.

Release Logistics

- a) Tagging/Marking - Delphinids: 3 forms of identification approved by NMFS (dorsal fin tag, freeze brand, photo, other).
- b) Release Site - Return to appropriate stock and geographical site under favorable environmental conditions, and for social species, introduced in areas with conspecifics.
- c) Tracking - minimum of 2 months post-release monitoring coordinated with NMFS (provide NMFS with regular tracking updates).
- d) Provide NMFS a report at the end of the tracking period.

3.10.2 Conditionally Releasable

The cetacean did not meet one or more of the essential release criteria but may be releasable in the future pending resolution of the problems identified by the attending veterinarian and Assessment Team.. This may involve discussion with outside experts in consultation with NMFS. Contingency plans for recapture, treatment, permanent care, and euthanasia should be required if release is unsuccessful and the animal restrands. The following may be true for one or more assessment points.

History

- a) Cetacean stranded in close temporal or geographic relation to a UME.
- b) Cetacean stranded in association with an environmental event of concern or an anthropogenic acoustic insult.
- c) Cetacean was involved in a mass stranding.
- d) Cetacean stranded previously on one or more occasions.
- e) Single stranding of a social species.
- f) Cetacean was part of a NMFS permitted research project, potentially being handled more frequently.

Developmental Stage/Life History

- a) Cetacean is nutritionally dependent, but older calf with some foraging skills.
- b) Cetacean is recently weaned.
- c) Cetacean is a female with calf.
- d) Cetacean is a geriatric animal and is compromised due to age related conditions.

Behavioral Assessment

- a) Cetacean exhibits aberrant behavior, which may include but is not limited to, abnormal breathing, swimming, and/or diving, auditory or visual dysfunction.
- b) Ability of the cetacean to forage for prey is questionable or logistical circumstances prevent testing of forage or prey capture ability.
- c) Cetacean requires significant conditioning due to developmental stage and/or medical condition.
- d) Predator wounds were likely secondary to another cause of the stranding.
- e) Attraction to humans in the wild has been extinguished.
- f) Cetacean is a social species and has stranded due to injury from conspecifics.

Medical Assessment - The attending veterinarian determines that the health status of the cetacean is uncertain regarding suitability for release. The veterinarian arrives at a determination of “Conditionally Releasable” through performance and interpretation of physical examinations and interpretations of tests such as CBC, chemistry profile, cultures, and other tests required by NMFS, plus any other diagnostic tests deemed necessary to fully evaluate the animal. Response of the cetacean to therapy and the clinical judgment of the veterinarian may also contribute to a

determination of "Conditionally Releasable." Further tests may be required including ultrasound or radiographs to clarify medical issues.

Cetaceans exhibiting any of the following medical or physical conditions are to be discussed with NMFS, with the expectation that without resolution, such conditions will make the animal an unsuitable candidate for release:

- a) Compromised function of sensory systems (auditory, visual).
- b) Decreased range of motion.
- c) Deformed or amputated appendage.
- d) Laboratory tests interpreted as abnormal or suspicious of disease (CBC, chemistry, cultures, or other tests).

Release Logistics

- a) Tagging, marking, post-release monitoring - Extensive post-release monitoring of cetaceans deemed "Conditionally Releasable" is required and is to be approved and coordinated through NMFS. Post-release monitoring of such animals should be at least two months duration, likely longer. Monitoring is likely to include advanced tracking techniques, such as satellite tracking via radio-tracking or photographic identification searches if the animal is likely to move outside of the range of monitoring. The cetacean will continue to be deemed "Conditionally Releasable" until the post-release monitoring plan required by NMFS can be implemented.
- b) Stock of origin is unknown, uncertain, or temporarily unreachable due to environmental or natural history factors - When such circumstances exist, the case is to be discussed with NMFS. The cetacean will be deemed "Conditionally Releasable" until specifics of release are approved by NMFS.
- c) Plan for recapture - NMFS may request a contingency plan if feasible for a "Conditionally Releasable" cetacean prior to its release should the animal appear to be unable to readjust to the wild. This should include plans for follow up treatment, permanent care and/or euthanasia. The cetacean will continue to be deemed "Conditionally Releasable" until NMFS approves a contingency plan.

3.10.3 Non-Releasable

The cetacean is determined to be unsuitable for release by the attending veterinarian and Assessment Team and the NMFS Regional Administrator concurs. The animal did not meet the essential release criteria, and thus does not have a reasonable chance of survival in the wild or poses health risks to wild marine mammals.

History

- a) Cetacean has been in captivity for more than two years or is otherwise too habituated and counter-conditioning techniques have been unsuccessful.
- b) Cetacean stranded previously on one or more occasions.
- c) Cetacean was part of a NMFS permitted research project, potentially being handled more frequently, and circumstances preclude its suitability for release.

Developmental Stage/Life History

- a) Cetacean is nutritionally and socially dependent (neonate and young nursing calf without foraging skills).
- b) Cetacean is geriatric and exhibiting other medical and/or behavioral abnormalities.

Behavioral Clearance

- a) Exhibits abnormal breathing, swimming, diving, or other aberrant behavior that may compromise survival in the wild or may be caused by a disease of concern to wild marine mammals.
- b) Exhibits auditory or visual dysfunction that would compromise survival in the wild or may be caused by an ongoing disease process of concern to wild marine mammals.
- c) Unable to capture and consume live prey.
- d) Demonstrated inability to avoid predators.

Medical Clearance - The attending veterinarian determines that the health of the cetacean precludes release. In such cases, the medical condition of the animal prevents normal function to a degree that would compromise its survival in the wild or pose a health risk to wild marine mammals. The veterinarian supports the determination of “Non-Releasable” status with required physical examinations and tests such as CBC, chemistry profile, cultures, and those required by NMFS plus any other tests deemed necessary to fully evaluate the animal. Further tests may be required,

including ultrasound or radiographs, to clarify medical issues. The veterinarian presents their findings to the NMFS Regional Stranding Coordinator and recommends that the cetacean be maintained in captivity or be euthanized.

Conditions that warrant consideration that a cetacean is deemed “Non-Releasable” include, and are not limited to, the following:

- a) Compromised function of sensory systems (auditory, visual).
- b) Decreased range of motion.
- c) Deformed or amputated appendage.
- d) Laboratory tests interpreted as abnormal or suspicious of disease of concern.
- e) Geriatric, or believed to have chronic disease, which may compromise survival in the wild.

Release Logistics

- a) Tagging/Biomonitoring - The cetacean requires extensive post-release monitoring for which there are insufficient resources.

4. Guidelines for Release of Rehabilitated Pinnipeds

4.1 Introduction

Each year in the United States, several different species of pinnipeds from three taxonomic families, Phocidae (true seals), Otariidae (eared seals), and Odobenidae (walrus), are rescued and rehabilitated. As walrus are under the jurisdiction of FWS, these guidelines should be generally applied but there are a few exceptions. Close consultation with FWS is required with each walrus case.

Except as otherwise noted, each pinniped is required to have a complete historical, developmental, behavioral, and medical status assessment by the attending veterinarian and animal care supervisor and be properly marked for identification prior to release. The release determination recommendation must include a signed statement from the attending veterinarian in consultation with the Assessment Team that the animal is **medically and behaviorally suitable for release in accordance with the release criteria** and include a written release plan and timeline. NMFS or FWS may require additional testing for reportable diseases in light of new findings regarding various disease and health issues and this information should be included in the release request. A release plan will require a justification statement and detailed description of the logistics for transporting, tagging, location, timing, crowd control, media coordination (if applicable), post release monitoring, and recovery should the animal fail to thrive (e.g., restrands). NMFS or FWS may require recapture if the animal appears to be in distress following a specified time after release. Recapture will require special authorization from NMFS or FWS prior to this activity. NMFS or FWS may consult with individual experts for further guidance. NMFS reserves the right to impose additional requirements in the release plan as stated in 50 CFR 216.27 (a)(3).

The NMFS Regional Administrator may allow for pre-approved waivers for routine pinniped cases as stated in 50 CFR 216.27(a)(2)(i)(A). Typically these cases are anticipated (e.g., the typical annual cluster of cases where the etiology is known and diagnosis and treatment is routine) and can be appropriately planned. For such waivers, the Stranding Network Participant should submit a protocol for such cases including location of release. These waivers will require pre-approval by the NMFS Regional Administrator on a schedule as prescribed in the Stranding Agreement. NMFS may require that a certain percentage of these cases that present with similar clinical signs and diagnosis be thoroughly tested and assessed each year. Similarly, NMFS may give blanket authorization for pre-approved release sites and for post-release monitoring plans.

4.2 Overview of Release Categories for Pinnipeds

Pinnipeds evaluated at rehabilitation facilities can be grouped into one of three “Release Categories” based on historical, developmental, behavioral, ecological, and medical criteria set forth in a **standardized checklist**. It is recommended that the standardized checklist (see Appendix J) should be used to assess and document the release candidacy of rehabilitated pinnipeds. The checklist includes a health statement (i.e., health certificate) to be signed by the attending veterinarian and authorized representative, which verifies that a pinniped meets appropriate standards for release. This checklist could be used to determine and document releasability (i.e., as part of the required documentation sent to NMFS) and as a final check just prior to release.

The majority of walrus typically strand as calves and are not good release candidates due to the extended period of maternal dependency. FWS generally considers walrus calves to be “non-releasable” and considers all stranded walrus on a case-by-case basis for permanent placement. If the animal is placed in permanent captivity, the receiving facility must hold an Exhibitor’s License from APHIS [7 U.S.C. 2131 *et seq.*] and comply with MMPA (16 U.S.C. 1374 §104(c)(7)). Questions regarding disposition of stranded walrus should be directed to the FWS contact as identified in Appendix H.

1. **"RELEASABLE"**: There are no significant concerns and the animal meets basic historical, developmental, behavioral, ecological, and medical criteria, supporting the likelihood of survival and a lack of risk to the health of wild marine mammals. The release plan (post-release identification, release site, contingency plans, and post-release monitoring) has been approved in writing by NMFS via the letter of concurrence. For the pinniped to be deemed “Releasable,” **all** items on the checklist should be answered as **"Yes."** The attending veterinarian signs the checklist confirming the information and the assessment.
2. **"CONDITIONALLY RELEASABLE"**: One or more items on the standardized checklist have been marked **"No"** for pinnipeds in this category. This may pertain to historical, developmental, behavioral, ecological, and/or medical status concerns regarding the animal’s potential to survive in the wild and/or its potential to pose a health risk to other marine mammals. A pinniped may also be deemed conditionally releasable if requirements for release cannot be met at present but may be met in the future and without compromising the health and welfare of the individual animal. In such cases, more time may be needed to

determine the feasibility of release (see 50 CFR 216.27(a)(1)(iii) for species under NMFS jurisdiction).

All “Conditionally Releasable” pinnipeds must be discussed with NMFS or FWS. NMFS or FWS may consult with individual experts to discuss specific cases. Experts include scientists and veterinarians with expertise in pinniped biology and medicine (particularly experts with species specific knowledge). Such discussions will clarify the most appropriate disposition. For example, additional medical testing, rehabilitative therapy, and additional strategies for post-release monitoring may be required to release a "Conditionally Releasable" pinniped.

- 3. "NON-RELEASABLE":** One or more items on the standardized checklist have been marked "No" for pinnipeds in this category. This may pertain to historical, developmental, behavioral, ecological, and/or medical status concerns that preclude release to the wild. It has a documented condition demonstrating little chance for survival in the wild and/or a diagnosed health risk to wild marine mammals. For NMFS species, this category also includes animals that have been in rehabilitation greater than two years (see 50 CFR 216.27(a)(1)(iii)). Additionally, a pinniped may be deemed “Non-Releasable” if an appropriate release site or post-release monitoring plan cannot be arranged. Rehabilitation facilities that believe that they may have a walrus that is non-releasable must contact the FWS Marine Mammals Management Office (as identified in Appendix H) for concurrence on this finding and eventual disposition of the animal. If FWS determines that a walrus is non-releasable, the holding facility may request a permit for permanent placement of the animal as long as the facility meets the requirements under section 104(c)(7) of the MMPA.

For animals deemed “Non-releasable” and with the concurrence from the NMFS Regional Administrator, the animal can be permanently placed in a public display or research facility or euthanized. If the animal is to be placed in permanent captivity, the receiving facility must be registered or hold a license from APHIS [7 USC 2131 et seq.] and comply with MMPA (16 USC 1374 Section 104(c)(7)). Facilities wishing to obtain non-releasable animals should send a *Letter of Intent* to NMFS PR1 to permanently retain (i.e., if affiliated with the rehabilitation facility) or acquire the animal. This letter should include a signature of the “*Responsible Party of Record*”. As part of the decision making process will consult with APHIS and may review the qualifications and experience of staff, transport, and placement plans (i.e., integration based on appropriate composition of species, sex, and age and the intended proposed plan for public display or scientific research). Once approved, NMFS PR1

will respond with a *Transfer Authorization Letter* and include MMDS, OMB Form 0648-0084, to be returned to NMFS PR1 within 30 days of transfer. Upon receipt of the MMDS, NMFS PR1 will acknowledge the transfer in writing and return updated MMDS to the receiving facility.

4.3 Historical Assessment of Pinnipeds

Historical stranding information may guide the management of rehabilitation and the plan for post-release monitoring. Important historical information should include:

- 1. A record of previous stranding** - Pinnipeds that have previously stranded and been released, and subsequently strand again, are deemed “Conditionally Releasable” pending consultation with NMFS or FWS. Such animals should be reassessed as they may have underlying health issues requiring additional evaluation, diagnostic testing, and advanced post-release monitoring. Alternatively, such pinnipeds may be assessed as “Non-Releasable” and be transferred to permanent captivity or euthanized.
- 2. An association with an ongoing epidemic among other animals or with a UME** - If the stranding of a pinniped occurs in close temporal or geographic proximity to a UME, fish kill, harmful algal bloom, hazardous waste spill, or other such environmental event, the pinniped is deemed “Conditionally Releasable” and consultation with NMFS or FWS is required. The agencies may request additional testing, documentation, and/or post-release monitoring of such pinnipeds.
- 3. Stranding location and active or home range** - Areas that are worth assessing are increased human activity (e.g. active fishery, increased recreational use, military activity, shipping activity, etc.) or hazardous environmental conditions (e.g., harmful algal bloom or hazardous waste spill, and/or special weather conditions like El Niño, hurricane, extreme cold, extreme heat, etc). During an El Niño event, the rehabilitation center should consult with NMFS regarding management and release of the animal because unfavorable environmental conditions may persist once an animal is ready for release and thus the animal should be deemed “Conditionally Releasable.” Also, the geographical distance between the stranding location and the rehabilitation facility is important to acknowledge as there could be important differences in the microflora at the facility. Information on areas of human activity and environmental hazards is also vital for determining an appropriate release site.

- 4. The animal was exposed to (or injured by) other wild or domestic animals** - Pinnipeds having a history of exposure (i.e., confirmed or suspected) to terrestrial wild or domestic animals are deemed “Conditionally Releasable” and must be discussed with NMFS or FWS. Pinnipeds may contract disease from terrestrial wild or domestic animals such as foxes or dogs. For instance, canine distemper represents a serious health threat to pinnipeds. Should a rehabilitating pinniped contract such a pathogen, it could transmit the illness to its wild cohorts. Such transmission of pathogens can occur even when a rehabilitated pinniped is not showing clinical signs of disease. Consultation with NMFS or FWS is thus required for pinnipeds that have a history of exposure (i.e., confirmed or suspected) to terrestrial animals.
- 5. The animal has a record of attacking or biting a human** - Pinnipeds that have inflicted a bite (including mouthing of unprotected skin) of a human are deemed “Conditionally Releasable” and must be discussed with NMFS or FWS. A variety of infectious diseases may be transmitted from animals to humans via bite wounds. Although documentation of rabies among pinnipeds is rare (there is one published case of rabies in a ringed seal from the Svalbard Islands, Norway [Odegaard and Krogsrud 1981]) the fatal outcome of this disease in humans warrants careful consideration of factors surrounding pinniped bites to people. NMFS or FWS may require consultation with state public health officials regarding pinnipeds that inflict bites on humans and may request that the facility follow state policies and guidelines for unvaccinated non- domestic animal bites. NMFS may also impose quarantine or additional diagnostic testing requirements prior to authorizing release.
- 6. The animal was evidence or part of a human interaction or criminal investigation – This includes an investigation by NOAA Office of Law Enforcement, the U.S. Department of Justice, or other Federal, state or local authorities.**
- 7. The animal was transferred from another holding, triage or rehabilitation facility** – The opportunity for exposure to pathogens can occur at different stages of response and rehabilitation. Therefore, it is important to obtain medical records and document the quality of care and treatment at each stage of this process.
- 8. The animal was transferred from research facility or undergoing permitted research during rehabilitation** – Research activity may extend the frequency and intensity of handling time and therefore could increase the risk of altering behavior or increasing the

chance of exposure to facility pathogens or chemicals (e.g., anesthetic agents, metabolic agents, etc). These animals will be considered “Conditionally Releasable” or “Non-releasable.”

4.4 Developmental Assessment of Pinnipeds

In order to be deemed "Releasable," a young pinniped should be able to feed itself and have adequate body condition to survive readjustment to the wild. Generally, pups are to be held in rehabilitation centers for roughly the normal duration of lactation. Because maternal dependence may vary greatly in some species, it is recommended that the straight length and weight of each pinniped pup be taken at admission and again when evaluating the animal for release to aid in the assessment of the animal's body condition. Such measurements may be compared to known weaning lengths and weights of appropriate wild pinniped species or to data from successfully rehabilitated and released stranded pups (see Appendix I for species specific developmental stages and pupping information). The risk of altered behavior can be related to both the length of treatment and the age of the animal at the time of stranding. Pups stranded as maternally dependent neonates and animals spending an extended time in rehabilitation being at highest risk. Special care should be taken with these species especially if rehabilitating very young pups and should be considered “Conditionally Releasable”.

Reproductive status in and of itself does not impact release candidacy of a pinniped unless a female strands with her pup or gives birth during rehabilitation. Such females and their offspring are “Conditionally Releasable” and are to be discussed with NMFS or FWS. The natural history of the pinniped species involved and factors related to maternal relationship may impact the timing and conditions of release for mother or pup. For instance, a pup that has not reached weaning weight may be releasable with its mother, but not alone. A healthy mother may be kept in rehabilitation to assist its sick or injured pup; however, this should be weighed against the risk of habituation that could minimize the chance of a successful release. Female pinnipeds in estrus or late pregnancy are releasable unless the attending veterinarian believes that the health history of the animal warrants extra precautions to minimize stress during its return to the wild. Such animals are “Conditionally Releasable” due to health concerns and are to be discussed with NMFS or FWS.

Pinnipeds that are in molt are “Conditionally Releasable” and these cases should be discussed with NMFS. Because behavior and physiology change during a molt, factors related to the pinnipeds health history, age, reproductive status, and other relevant parameters should be considered in order to determine if release is preferable to holding the animal until molting is completed.

4.5 Behavioral Assessment of Pinnipeds

The limitations imposed by the captive environment of rehabilitation may preclude a detailed behavioral assessment where behavior of the captive animal may differ from that displayed in the wild. Also, there lacks a set of behavioral and functional tests that relate to behavior in the wild and there are limitations on the complete knowledge of “normal” behavioral parameters of each species. Behavioral clearance is thus founded on basic criteria necessary for survival of the animal in the wild. The behavioral evaluation often overlaps with the medical evaluation as abnormal behavior may indicate an underlying illness. Biologists and animal care supervisors with expertise in pinniped behavior and the attending veterinarian should jointly assess the behavior of the animal.

To achieve behavioral clearance, a pinniped should breathe normally and demonstrate effective swimming, diving, and locomotion on land (if appropriate for its species). The animal should not display aberrant behavior or auditory or visual dysfunction that may compromise its survival in the wild or suggest an underlying disease of concern to wild marine mammals (i.e., reportable disease). Behavioral clearance also includes confirmation that the animal can respond to, and is able to capture and consume, live prey.

4.5.1 Breathing, Swimming, Diving, and Locomotion on Land

Evaluation of respiration is done to determine that the pinniped does not exhibit abnormal breathing patterns or labored breathing during exertion. Evaluation of swimming, diving, and locomotion on land is done to confirm that the pinniped moves effectively and does not exhibit abnormalities such as listing to one side, decreased capacity to submerge, asymmetrical motor patterns, etc. Pinnipeds that display abnormalities of breathing, swimming, diving, or locomotion on land are deemed "Conditionally Releasable" or "Non-Releasable," depending on the nature and degree of their dysfunction.

4.5.2 Aberrant Behavior

Behavioral clearance of the pinniped includes confirmation that the animal does not exhibit aberrant behavior that may compromise survival in the wild or suggest an underlying disease of concern to wild marine mammals. Examples of aberrant behavior include, but are not limited to, regurgitation, head pressing, postural abnormalities such as repetitive arching or tucking, head swaying, stereotypic or idiosyncratic pacing, decreased or unusual range of motion, and abnormalities of breathing, swimming, diving, and locomotion on land as previously discussed. Other examples include

attraction to or desensitization to the presence of humans such as in the case of pups imprinting on humans. Pinnipeds displaying aberrant behavior are deemed "Conditionally Releasable" or "Non-Releasable" depending on the nature and degree of the behavior.

4.5.3 Auditory and Visual Function

Behavioral clearance of the pinniped includes evaluation of auditory and visual function. Auditory dysfunction may be a reflection of active disease, permanent injury, or degenerative changes associated with aging. Evaluators may suspect that a pinniped has compromised auditory function if it responds minimally to loud noises created above or below water. Pinnipeds that have visual dysfunction may show difficulty locating prey items, tendency to collide with boundaries of their enclosure, or difficulty maneuvering about objects placed in their path. Discoloration, swelling, abnormal shape, position, or appearance of the eye or eyelids may suggest visual dysfunction. Pinnipeds with auditory or visual dysfunction should be deemed "Conditionally Releasable" or "Non-Releasable" depending on the degree and nature of their condition.

4.5.4 Prey Capture

Rehabilitated pinnipeds should demonstrate the ability to chase, capture, and consume live prey prior to their release. Prey items found in the animal's natural environment should be used whenever possible. If natural prey items are not available, evaluators may utilize other prey species. Evaluation of the pinniped includes assessment of each component of feeding behavior including the ability to chase prey, to actually capture prey, and to consume prey without assistance from humans. Pinnipeds that display ineffective prey capture and consumption are deemed "Conditionally Releasable" or "Non-releasable." If logistical issues preclude evaluation of prey capture and consumption or there is a question about the quality of live prey, NMFS or FWS should be consulted.

Rehabilitated pinnipeds that have been in captivity longer than one year and young pinnipeds having little or no previous foraging experience in the wild require particularly careful assessment of feeding behavior. Repeated feeding trials using live prey with concurrent assessment of the animal's ability to maintain good body condition are helpful in thoroughly evaluating such animals.

4.6 Medical Assessment of Pinnipeds

The medical assessment includes information related to any diagnostic testing, treatment, and response to treatment. The attending veterinarian should perform a hands-on-physical examination upon admission and prior to the release determination. The attending veterinarian should review the

animal's complete history including all stranding information and diagnostic testing (i.e., required by NMFS and any additional data), and medical and husbandry records (including food consumption and weight and length progression). The primary goal of testing required by NMFS or FWS is to safeguard the health of wild marine mammal populations. This is achieved by testing for diseases that pose a significant morbidity or mortality risk to wild populations (i.e., reportable diseases). Those that are zoonotic or public health and safety concern require immediate NMFS notification to assure proper protocols are put into place. Additional testing will be required if the animal was part of an official UME. NMFS may request testing for other emerging diseases as part of a surveillance program to identify potential epidemics of concern and to monitor changes in disease status that may have occurred due to rehabilitation practices. The directive for the pre-release health screen will come from the NMFS Regional Stranding Coordinator through the MMHSRP. Appendix E lists diseases of concern for pinnipeds.

A complete health screen should be completed upon admission and just prior to release including basic blood collection for a CBC, chemistry profile (including BUN and creatinine, enzymes and electrolytes), serology, microbial and fungal culture (i.e., nasal, rectal, ocular, and lesions), cytology, urinalysis, and fecal exam. If the animal is female and at reproductive age, it is advisable that pregnancy is ruled out prior to prescribing potentially fetal toxic medication. Serum (3ml/each) should be banked at the time of admission and just prior to release for retrospective studies. Cessation of antibiotics should occur two weeks prior to release examination to assure that the animals is no longer dependent on the medication and that the drug has cleared based on the pharmacokinetics and requirements made by the veterinary community and the Food and Drug Administration. Some antibiotics clear the body quickly and require shorter withdrawal time; therefore, when this recommendation cannot be met seek advice from NMFS. **The attending veterinarian should provide written notification to the NMFS Regional Stranding Coordinator that a pre-release health screen of the pinniped has been performed two weeks prior to release and will be conducted within 72 hours of release as a final check. The two week notification must also include the final release plan. The final assessment at the 72 hour mark can be emailed just prior to the release or immediately following the release as prescribed by the NMFS Regional Stranding Coordinator. The required documentation and signed release determination recommendation will be part of the administrative record along with the signed (by the NMFS Regional Administrator) letter of concurrence approval for release.**

It is of extreme importance that the pinniped be monitored closely for disease throughout its rehabilitation. Regardless of the stranding etiology, handling and care can cause significant stress increasing susceptibility to disease. If not properly managed, rehabilitation facilities provide an environment where genetically altered or novel pathogens not typically encountered in the wild can easily be transmitted from animal to animal. This scenario can be problematic when an animal is exposed and becomes a carrier of that pathogen to a naïve wild population if released. Introduction of pathogens from rehabilitation centers to the wild is a significant concern as diseases with serious epizootic potential have been detected (Measures 2004, Moore et. al., 2007). Infectious agents may become more pathogenic as they pass through new individuals and naïve species or genetically altered from indiscriminant use of antibiotics.

The attending veterinarian is urged to utilize the full spectrum of diagnostic modalities available for health assessment of the pinniped. In addition to basic blood work, serology, microbial culture, cytology, urinalysis, and fecal exam, advanced techniques for pathogen detection such as PCR and toxicology analyses are available. A number of diagnostic imaging techniques including radiology, CAT scans, and MRI may be used as well as bronchoscopy and laparoscopy. The pinniped literature has expanded to include numerous references on the performance and interpretation of diagnostic tests.

Both agencies may request testing for other emerging diseases as part of a surveillance program to identify potential epidemics of concern and identify health trends. Additional testing will be required if the animal was part of an official UME. Specific testing requirements (i.e., pre-release health screen) will come from the NMFS Regional Stranding Coordinator through the MMHSRP and follows the term and responsibilities stated in the NMFS Stranding Agreement.

4.7 Release Site Selection for Pinnipeds

The release of a rehabilitated pinniped should be planned to maximize its chances for survival. The release should be timed and staged to increase its likelihood of foraging success and acceptance by conspecifics. Factors including its species, age, reproductive status, previous home range, social unit, and migratory patterns should be considered. Weather conditions at the release site and other environmental factors impacting the habitat and food availability should also be evaluated.

The rehabilitated pinniped is to be released into its home range, genetic stock, and social unit whenever possible. Return of the animal to its home range is preferable as the reacclimating pinniped would presumably have familiarity with available resources, potential predators, environmental

features, and social relationships. In many cases, this can be accomplished by releasing the pinniped at its stranding site through a simple hard-release process (i.e., the animal is released directly after transport to the release site without acclimation through holding in a temporary enclosure at the site).

For wide ranging species, such as hooded and ringed seals, the release site selection is considered on a case-by-case basis. Consultation with NMFS is required for these cases. If the range of conspecifics is distant from the original stranding site, rehabilitators may consider various options depending on the natural history of the species and the temporal relationship of release to seasonal distribution. The pinniped may be released to migrate on its own or with conspecifics still in the vicinity. Alternatively, the pinniped may be held in captivity until conspecifics return or it may be transported to the location of its migrated cohorts. The risks of extended time for the pinniped in captivity, logistics of transport to a migration site, and costs associated with the extended stay are examples of factors to be considered. As explained later in this section, movement of pinnipeds recovering from infectious disease to other sites should be carefully considered regarding disease risk to wild pinnipeds.

When information on the animal's ranging patterns or social unit prior to stranding is not known, or when a pinniped strands outside of the previously known range of its species, NMFS is to be consulted regarding an appropriate release strategy. For pinniped species that have vast territorial ranges, such as those that naturally traverse the length of the North American continent, knowledge of the animal's specific ranging patterns previous to stranding may not be necessary. Such pinnipeds may be released in the general vicinity of their stranding site or anywhere within the vast range inhabited by that species with the following important exception (see below).

When a pinniped has recovered from an infectious disease, it may be preferable to release the animal near its original stranding site in order to minimize disease risks to wild pinnipeds. For example, even if the entire population of a far-ranging pinniped species has been exposed to a particular infectious agent, changes in the virulence of the pathogen may initially occur at distinct geographical sites. A seal exposed to a particularly virulent strain of pathogen in the far Northeast may pose a health risk to pinnipeds in the Mid-Atlantic that have not yet encountered that particular strain of virus. Additionally, the clinical signs of many infectious diseases mimic each other. As rehabilitation centers cannot always perform definitive diagnostic tests for all viral agents, moving rehabilitated pinnipeds from the general region of their stranding to distant locations for release may pose some risk to wild marine mammals. NMFS is to be consulted regarding the preferred release site when pinnipeds recovering from an infectious disease cannot be released near their original

stranding site. Another important consideration is the location of the rehabilitation facility to the normal habitat range for the species, e.g., the rehabilitation of an ice seal in the Caribbean. The decision to release in the normal habitat range would need to be thoroughly discussed with NMFS.

It is important to ensure that conditions at the release site do not pose any obvious immediate threat to the released animal, such as areas where resources and habitat is severely depleted or degraded. If evidence exists of a substantial decline in resources or habitat quality such as massive fish kills, significant declines in commercial and/or recreational fish landings, red tides, etc., it may not be appropriate to release the pinniped until conditions at the release site improve or a different release site is found. Also, release in areas of dense public use and/or high commercial and recreational fishing activity should be avoided.

4.8 Identification of Rehabilitated Pinnipeds Prior to Release

NMFS and FWS have determined that all pinnipeds must be flipper tagged for identification prior to release to the wild. Tags and placement instructions are to be obtained from NMFS or FWS and/or USGS (for walrus) as appropriate for the pinniped species (see Appendix H for contact information. Although resightings of flipper-tagged individuals may provide some information regarding the relative success of a rehabilitation effort, flipper tags are not reliable for long-term monitoring. They may be difficult to read from a distance and may become damaged or lost. Other methods for identification such as freeze-branding, glue tags, etc. may be used in addition to flipper tags (Geraci and Lounsbury 2005).

4.9 Post-Release Monitoring of Pinnipeds

Post-release monitoring of pinnipeds provides essential information for the development and refinement of marine mammal rehabilitation and release practices. Post-release monitoring methods may include visual observations of tagged or freeze-branded pinnipeds from land, sea, or air, as well as radio or satellite-linked monitoring. Radio and satellite-linked monitoring programs are highly desirable as they provide a wealth of information regarding the activities and fates of released animals. NMFS or FWS may require and coordinate post-release monitoring plans for “Conditionally Releasable” pinnipeds. Additionally, rehabilitation centers may voluntarily provide post-release monitoring plans for routinely released pinnipeds. When such monitoring will be performed voluntarily, the rehabilitation center is required to inform NMFS or FWS of the intent to implement post-release monitoring when seeking authorization for release of the pinniped.

The first month after release of the pinniped is a particularly critical period during which it will become evident whether the animal is thriving, including capturing sufficient prey and being accepted by conspecifics. It is recommended that monitoring continue on a regular basis via field observations, radio, or satellite-linked monitoring for up to one full year and such funding resources as the Prescott Grant Program can assist with the financial burden of such endeavors. NMFS may request these data in order to make future revisions to pinniped rehabilitation and release guidelines. In order to compare individual cases, standardization of data collection protocols for monitoring released pinnipeds may be helpful, and this should include the length of the tracking time, the type of tracking equipment, and assessment of outcome. Formal study of monitoring data and its dissemination to the stranding network can aid in the assessment of pinniped rehabilitation and release programs.

Release plans should include contingency plans for recovering the released pinniped, should monitoring indicate its failure to thrive, including options for treatment, permanent care, or euthanasia. In addition, NMFS will request such contingency plans for “Conditionally Releasable” pinnipeds, depending on the circumstances.

5. Guidelines for Release of Rehabilitated Manatees

5.1 Introduction

West Indian manatees (*Trichechus manatus*) are found throughout the Caribbean basin. In the United States, the Florida subspecies (*Trichechus manatus latirostris*) is commonly found in southeastern coastal waters, with Florida at the core of its range. The Antillean subspecies (*Trichechus manatus manatus*) is found outside of Florida throughout the Caribbean basin (including Puerto Rico and possibly Texas). While most reports of distressed manatees occur in Florida, manatees have been rescued throughout the region. The focus of manatee rescue and release activities is to promote the conservation of wild manatee populations.

Reports of distressed manatees include animals compromised by human activities and natural causes. Human causes of distress include collisions with watercraft, entrapment in structures, entanglement in and ingestion of fishing gear and debris, and other sources. Natural causes of distress include exposure to cold and brevetoxins, mother/calf separation, seasonal disorientation, etc. All rescue-related communications and the day to day decision making process in the field are generally handled by the local field Stations of the Florida Fish and Wildlife Conservation Commission (FWC) in conjunction with report from the public utilizing the FWC hotline (1-888-404-FWCC). All activities related to the verification of a report of a manatee in trouble, subsequent rescue, and transport to rehabilitation facilities are communicated through the FWC Field Stations, according to established protocols. The FWS Jacksonville Field Office coordinates the manatee rescue, rehabilitation, and release program to assist these animals. The FWS Jacksonville Field Office conducts this program according to the provisions of an ESA/MMPA marine mammal enhancement permit issued by the FWS DMA. The permit authorizes “take” activities for an unspecified number of manatees for the purpose of enhancing its survival and recovery, consistent with the FWS manatee recovery plan developed pursuant to the ESA.

The FWS Jacksonville Field Office coordinates a network of individuals, facilities, and agencies authorized as subpermittees under their enhancement permit and through LOAs issued under section 109(h) and section 112(c) of the MMPA [16 U.S.C. 1379(h) and 16 U.S.C. 1382(c)] to authorize activities related to the rescue (including temporary capture, possession, transport, and transfer), rehabilitation, and post-release monitoring of manatees.

The following guidelines were first developed by program participants in 1991 and subsequently revised in 2001. They are based on more than twenty years of program history and include the experiences, advice, and expertise of resource managers, field biologists, veterinarians, behavioral experts, animal keepers, and other dedicated individuals. The guidelines are to be used by authorized participants to guide the return of rehabilitated manatees to the wild.

5.2 Overview of Release Categories for Manatees

Manatees undergoing rehabilitation are evaluated by program participants and placed into one of four Release Categories:

1. **“RELEASABLE”**: Manatees that have been successfully treated, are of an appropriate size, demonstrate appropriate behaviors, have the skills necessary to thrive in the wild, and do not pose a threat to wild populations will be considered releasable. Additionally, distressed manatees that are assisted in the wild and then released on-site are characterized as “Releasable”. These include fit (healthy, non-injured) manatees superficially entangled in fishing gear, animals isolated by high water or detained by structures (such as water control structures, sheet pile walls, booms, and other barriers), seasonally disoriented animals, and others. “Seasonally disoriented” manatees include otherwise fit animals that fail to migrate to appropriate winter habitats during the periods of cold weather. These animals are typically relocated to warm water sites within their region of origin.
2. **“CONDITIONALLY RELEASABLE”**: Manatees with a condition and/or circumstances that present a question regarding the success of release or ability to thrive in the wild but likely not pose a threat to wild populations will be considered conditionally releasable. Animals described as “Conditionally Releasable” typically include medically-cleared, captive-reared animals and older, long term-captives. The status of animals considered to be “Conditionally Releasable” may change to “Releasable” if their condition or circumstances improve or to “Conditionally Non-releasable” if their condition or circumstances deteriorate.
3. **“CONDITIONALLY NON-RELEASABLE”**: Manatees that cannot be released because their condition and/or circumstances threaten the well-being of the animal and/or may pose a threat to the wild population will be considered conditionally non-releasable. The status of animals considered to be “Conditionally Non-releasable” may change to “Releasable” or “Conditionally Releasable” if their condition or circumstances improve over time. This

category may include individuals with permanently debilitating medical conditions. Because manatees are closely monitored post release (i.e., their normal habitat range is coastal and thus easier to monitor post release) and data have shown that they can survive and thrive post release even after many years in captivity, this category has been added.

4. **“NON-RELEASABLE”**: The FWS will review, on a case-by-case basis, requests to establish the non-releasability of certain captive-held manatees. Manatees deemed non-releasable will be medically characterized by a disease process that proves to be a significant risk to the wild population or by significant physical injuries (such as loss of paddle or significant spinal trauma) that would preclude the ability of an animal to thrive in the wild. Petitions to establish non-releasability of individual manatees will be reviewed by an independent panel which will make their recommendations to the FWS. The FWS will consider the request and recommendation and will then determine the status of the animal. Should an animal be deemed non-releasable by the FWS, the receiving facility will need to meet the requirements to receive an enhancement permit in accordance with section 104 (c)(4) of the MMPA (16 U.S.C. 1374(c)(4)), section 10(a) of the ESA (16 U.S.C. 153(a)) and the FWS issuance criteria at 50 CRF 17.22.

5.3 Historical Assessment of Manatees

Efforts are made to maintain complete, detailed records that document rescued manatees from the time of rescue to their eventual disposition. These records generally include information describing the rescue, circumstances surrounding the stranding (e.g., red tide, cold weather, etc.), treatment(s), captive care, and resolution of the case (i.e., death, euthanasia, or release). In the case of previously known wild individuals, these records can include documentation of behavioral and reproductive patterns, migratory habits, and site fidelity. For all released animals, these records should also include all post-release monitoring information.

These records guide the treatment of individual stranded manatees and provide an evaluative tool that allows program managers and participants to assess and improve methods and procedures to better ensure success. As an example, in the case of red tide-related strandings, records detail the rescue of a manatee(s), noting the stranding site in the context of a red tide event, the presentation of the animal (beached, convulsing, etc.), any behaviors noted during transport, appropriate neurologic treatment, post treatment observations, and eventual release. Release plans for the animal should require information characterizing the status of red tide within the planned release area. Such detailed

documentation has helped with efforts to develop effective rescue, rehabilitation, and release methods for red tide stranded animals.

5.4 Developmental Assessment of Manatees

“Releasable” animals must be nutritionally independent (weaned and off of supplemental nutritional support), greater than 200 cm in total length and more than 600 pounds in weight. There should be no concerns regarding the animal’s length of time in captivity, relative to its age. On occasion, smaller suckling calves are released with their dam to ensure that the dam’s wild experience is passed on to her calf. Based on observations of cow/calf bonding behavior, this will help to improve the calf’s wild skills and ability to survive in the wild.

“Conditionally Releasable” manatees should demonstrate nutritional independence, especially in the case of older calves planned for release. Recently weaned juveniles are also considered as release candidates. In both instances, animals should meet “Releasable” criteria for length and weight. Manatees that have spent lengthy periods of time in captivity (relative to their age) also fall into this category. Concern has been expressed that older, long-term captives may have a diminished ability to thrive in the wild (at the extreme are animals that have been in captivity for more than 50 years). While concern for these older animals may be well-placed, it is difficult to know at what age (if any) these animals’ condition and lack of wild skills will compromise the success of their release. As such, older animals are considered on a case-by-case basis for release. The release of older manatees is being conducted in the context of a research program that will yield data to help ensure success for subsequently released individuals meeting similar criteria.

“Conditionally Non-releasable” manatees include animals that are not nutritionally independent, do not meet the length and weight criteria for “Releasable” animals, and/or lack the wild skills that are essential for a successful release.

“Non-releasable” manatees will be reviewed by the FWS on a case-by-case basis.

5.5 Behavioral Assessment of Manatees

“Releasable” manatees must exhibit normal behaviors while in captivity and are, therefore, expected to be able to meet behavioral challenges when in the wild. Normal behaviors include typical breathing, swimming, diving, and foraging/drinking patterns. Foraging behaviors include the ability to feed in salt, brackish, and fresh water environments without becoming dehydrated. Manatees must

also demonstrate an ability to feed on natural vegetation located at various levels in the water column. Historically, captive manatees have been fed at the water surface. Naïve animals fed in this fashion have had difficulties finding food on the bottom after release. Current feeding practices include feeding at the bottom and top of the water column.

While abnormal behaviors in manatees have not been defined, animals that exhibit atypical behaviors (as determined by FWS and its advisors) while in captivity will be considered for release on a case-by-case basis. Behaviors that elicit concerns include stereotypic behavioral displays, adaptability or sensitivity to change (including going off feed, shutting down, etc.), and perceived affinities for humans and human activities while in captivity. These affinities should not be confused with the manatee's innate ability to explore their captive environment, including humans, especially in the absence of other engaging stimuli. Efforts should be made to de-condition or extinguish these behaviors before release.

5.6 Medical Assessment of Manatees

Prior to release, release candidates must be examined by a veterinarian experienced in manatee medicine. Examinations should include a review of the animal's complete history, a hands-on physical examination, and diagnostic testing. The exam should include blood work, including CBC and serum chemistries. Serological and bacteriological assessments should be conducted when deemed necessary by the attending veterinarian. Results of analyses should be consistent with known values for animals of similar age, size, and sex and consistent with historical values for that specific animal. A "medically cleared" manatee will be free of medical problems, not limited in its ability to thrive in the wild, and will not pose a threat to wild populations.

Manatees that have unresolved injuries, compromising physical conditions (malnutrition, dehydration, etc.), active/infectious disease processes, injuries that significantly affect mobility and range of motion (e.g., the loss of a paddle, failure to adapt appropriate buoyancy control, etc.) and other debilitating conditions are considered to be "Conditionally Non-releasable". In the event that these concerns are resolved, these animals may be categorized as "Releasable" or "Conditionally Releasable".

5.7 Decision Tree for Release Categories - Manatees

The following is a list of criteria used to help determine the release status of captive manatees. Please note that an animal's status may change as various criteria are met. (These criteria generally apply to all species/subspecies of manatees unless otherwise indicated.)

5.7.1 RELEASABLE

Developmental Stage/Life History

- a) Nutritionally independent.
- b) For Florida manatees, length must be >200 cm and weight >600 lbs (unless released with dam).
- c) No concerns about length of time in captivity relative to age.

Behavioral Assessment

- a) Must exhibit normal behaviors, including typical breathing, swimming, and diving patterns while in captivity.
- b) Must be able to eat natural vegetation and adapt to salt, brackish, and fresh water regimes.
- c) Must demonstrate ability to feed on natural vegetation at various levels in water column.

Medical Assessment

- a) No active, demonstrable medical problems.
- b) Medically cleared based on examination by a veterinarian experienced in manatee medicine.
- c) Poses no threat to wild populations.

Pre-release Requirements

- a) The animal must be individually recognizable.
 - i. All identifiable markings should be completely documented with sketches and photographs.
 - ii. In the absence of individually identifiable markings, the animal should be freeze branded. The brands should be sketched and photographed.
 - iii. All released manatees should be PIT-tagged and information recorded and logged.
- b) Blood and/or tissue samples must be taken for serum banking and genetics.

- c) Ultrasound measurements of blubber layers must be taken as an initial indicator of health status.

Release Logistics (a release plan should be prepared for each released animal)

- a) Telemetry should be considered when appropriate, subject to approval by FWS.
- b) Animals should be released in close proximity to their point of origin, when appropriate (in the case of previously known animals, suitable sites may be selected within the animal's home range).
- c) Release sites should be free of harmful algal blooms and other compromising factors.
- d) For captive-reared, naïve animals in Florida, release sites should include natural warm water sites within the animal's home range or that of the parent. Such releases should occur during the winter, thereby improving possibilities for bonding to the site and building associations with cohorts.

5.7.2 CONDITIONALLY RELEASABLE

Developmental Stage/Life History - Developmental considerations include animals that may be characterized by one or more of the following conditions:

- a) Partial nutritional independence.
- b) For Florida manatees, less than 200 cm in length and/or 600 lbs in weight.
- c) Social dependence.
- d) Recent weaning (stranded as a neonate, captive weaned, etc.).
- e) Extended period of time (relative to age) in captivity.

Behavioral Assessment

- a) Exhibits abnormal behavior(s) in captivity.
- b) Unable to eat natural vegetation and adapt to salt, brackish, and fresh water regimes.
- c) Unable to feed on natural vegetation at various levels in water column.

Medical Assessment: Animals with the following conditions may be considered for release:

- a) Physical impairment (may include animals with damage to or loss of appendages, animals with impaired range of motion, etc.)
- b) Reproductive condition (may include pregnant females, lactating females with calves, etc.)

Pre-release Requirements

- a) The animal must be individually recognizable.
 - i. All identifiable markings should be completely documented with sketches and photographs.
 - ii. In the absence of individually identifiable markings, the animal should be freeze branded. The brands should be sketched and photographed.
 - iii. All released manatees should be PIT-tagged and information recorded and logged.
- b) Blood and/or tissue samples must be taken for serum banking and genetics.
- c) Ultrasound measurements of blubber layers must be taken as an initial indicator of health status.

Release Logistics

- a) Requires radio-tagging and intensive monitoring efforts following guidelines developed by FWS and its advisors (including veterinarians, animal behavior specialists, and researchers).

5.7.3 CONDITIONALLY NON-RELEASABLE

Developmental Stage/Life History - Developmental considerations include animals that may be characterized by one or more of the following conditions:

- a) Nutritionally dependent.
- b) For Florida manatees, less than 200 cm in length and/or 600 lbs in weight.
- c) Extreme concerns about length of time in captivity relative to age.

Behavioral Assessment

- a) Exhibits abnormal behavior(s).
- b) Unable to eat natural vegetation and adapt to salt, brackish, and fresh water regimes.
- c) Unable to feed on natural vegetation at various levels in water column.

Medical Assessment

- a) Not medically cleared (animals with active/infectious diseases, permanent, demonstrable physically debilitating injuries, and/or other concerns).
- b) Poses a threat to wild populations.

5.7.4 NON-RELEASEABLE

- a) Animals deemed permanently non-releasable will be:
 - i. Permanently captive
 - ii. Euthanized, as deemed necessary, to prevent pain and suffering or in cases with an inevitable outcome.

If FWS has determined that a manatee is permanently non-releasable, the holding facility may request a permit for permanent placement of the animal as long as the facility meets the requirements under section 104(c)(3) or (c)(4) of the MMPA and section 10 of the ESA.

- b) Inbred animals: There are currently two inbred manatees in the U.S. captive manatee population. At the present time, these animals are considered to be conditionally non-releasable due to concerns regarding immunological compromise. Other concerns include observed problems with inbreeding, as seen in the European captive manatee population, which includes high infant mortality and breeding suppression. Given these concerns and questions about the effects of the release of inbred animals into the wild population, these two animals can not be released at this time and are presently considered conditionally non-releasable.
- c) Pre-Act animals: The U.S. captive manatee population currently includes four Florida manatees brought into captivity prior to the adoption of Federal prohibitions preventing the display of endangered marine mammals. The care and disposition of these “Pre-Act” animals are the responsibility of their respective owners.

5.8 Pre-release Requirements for Manatees

Prior to release, all animals must be individually recognizable. While many animals are either naturally marked or have scars from encounters with boat propellers, other animals have no markings and should be freeze branded with a unique number/letter combination (the selection of the sequential number/letter combination must be made beforehand in consultation with FWS). All markings (including freeze brands) should be done well in advance of release, if possible, and all markings should be sketched and photographed. PIT tags (one on either side of the shoulders, cranial to each scapula) should also be implanted. Ultrasound measurements of blubber layers must be taken prior to release as a baseline indicator of the animal’s body condition. Blood and/or tissue samples should also be taken prior to release for serum banking and genetics.

5.9 Release and Post-release Logistics for Manatees

If at all possible, animals should be released in close proximity to the site where originally rescued. For captive-reared, Florida manatees with no wild experience, these animals should generally be released within their region of genetic origin and into natural warm-water areas during the winter to encourage winter site fidelity and familiarity with local conditions and association with wild manatees. When appropriate, telemetry may occur, pursuant to approval from FWS. (Current tagging methodologies make it difficult to radio tag and belt manatees less than 220 cm in total length.) In the case of rehabilitated, wild born adults, many of these animals can be released back into areas where researchers actively track wild manatees and can be monitored as part of these projects.

Post-release monitoring is required for all conditionally releasable animals. Such monitoring includes equipping animals with transmitters (satellite, VHF, and/or sonic, as appropriate) for both remote and on-site monitoring. On-site monitoring should include visual observations of the animal once or twice a week; protocols vary between higher and lower risk candidates. At a minimum, biomedical assessments should be conducted within the first three months after release, six months after release, and twelve months after release. If there is any question about the animal's health based on field or remote observations, assessments should occur more frequently. If the animal's well-being has been compromised as determined by these assessments, the animal should be returned to captivity. Biomedical monitoring includes an examination of overall body condition, length and other morphometrics that include girths, weight, blubber thickness, collection of blood, fecal, urine, milk, semen, and tissues samples when possible. Results of analyses should be consistent with known values for animals of similar age, size, and sex and consistent with historical values for that specific animal. While there is no agreed upon definition of success, program participants generally agree that if an animal has thrived in the wild (and met foraging and fresh water needs) for at least a year, if it has demonstrated an ability to successfully winter at a warm water site (Florida manatees), and if it has contributed to the production of offspring, then it is considered a successful release.

Pre-release conditioning may be required for conditionally releasable animals. Such conditioning may include exposing manatees to natural forage positioned at the surface and on the bottom of their tank. Natural forage includes a variety of vegetative types found within the animal's range and may also include palatable exotics such as *Hydrilla*. If an animal is to be released into water that differs from the type of water in their tank of origin, the animal should be acclimated to the type of water best suited to the release environment to minimize post-release stress, especially in the case of naïve

animals. Conditioning may also include minimizing exposure to humans to reduce or eliminate any affinity the animal may have or may potentially develop toward humans and human activity. Trained/learned behaviors must be extinguished to the greatest extent possible prior to release.

In special cases, “soft release” methodologies should be considered as a means to enhance survivorship in the wild. “Soft releases” typically rely upon temporary holding facilities established within the release area. Manatee(s) are kept in these facilities where they are maintained and observed for a period of at least several weeks. This temporary adaptation period allows for acclimation to waters at the release site, introduction to in situ forage, close observation of behaviors, and ease in capture/handling for biomedical assessments prior to release. Supplemented forage can be reduced during the containment period. At release, the “soft release” concept initially encourages brief forays away from the enclosure and allows for the individual to return to the now familiar holding facility. Further reduction in supplemental feeding will promote greater use and exploration of surrounding habitats. Use of this methodology is to be considered where individual cases warrant additional release scrutiny and release locations allow for its implementation.

5.10 Manatee Rescue, Rehabilitation, and Rescue Program Reporting/Requesting Requirements

The FWS uses an electronic database that requires program participants to report events within 24 hours of occurrence. Release requests should be received and requested electronically 30 days prior to the release. The Reporting Requirements are listed in Appendix C.

6. Guidelines for Release of Rehabilitated Sea Otters

6.1 Introduction

Sea otters are found in near shore waters of the North Pacific. Several subspecies and stocks have been identified in California, Washington, Alaska, Canada, and Russia. Sea otters may strand for a variety of reasons including trauma, disease, and the inability to forage. Guidelines for the release of rehabilitated sea otters are intended to address the welfare of these animals and any impacts the rehabilitated animals may have on wild otter populations.

Like many other marine mammals, stranded sea otters are often reported on beaches frequented by humans. In some cases, humans intercede and otherwise healthy pups are removed from the wild. The sea otter's small size makes it relatively easy to transport. However, there are currently few facilities capable of meeting the requirements for successful rehabilitation. These guidelines are intended to be used by facilities authorized to rehabilitate marine mammals under the MMPA and ESA, if applicable, and that are actively involved in the rehabilitation of sea otters for subsequent return to the wild. Questions regarding disposition and release approval of stranded sea otters must be directed to the appropriate FWS specialist as identified in Appendix H.

6.2 Developmental Assessment of Sea Otter Pups

Sea otter pups are generally dependent on their mothers for the first 6 to 12 months of life. Newborn pups are readily distinguished by their natal pelage, small size (generally less than 6 lbs), and inability to care for themselves. Pups prematurely separated from their mothers or found stranded on a beach shortly after weaning are generally less than 20 lbs in weight and typically lack foraging skills necessary for survival.

Successful rehabilitation of stranded sea otter pups for release to the wild requires a significant commitment of time and resources. Facilities that receive a stranded pup and are unable to rear the pup for possible release to the wild must immediately contact the FWS (as identified in Appendix H) to determine the disposition of the animal.

Rehabilitated sea otter pups that are at least 6 months of age, weigh at least 20 lbs, demonstrate adequate foraging, grooming, and social skills may be released to the wild. Rehabilitated sea otter pups must be monitored closely post-release to determine if their transition to the wild is successful (see post-release monitoring below).

6.3 Behavioral Assessment of Sea Otters

Certain behaviors are necessary for survival of rehabilitated sea otters. In addition, aberrant behaviors may preclude release to the wild. Rehabilitated sea otters may be released to the wild if the following behavioral criteria are met in the opinion of rehabilitation personnel familiar with normal sea otter behavior:

1. The rehabilitated sea otter must demonstrate the ability and willingness to forage and capture live prey. This includes the use of tools such as rocks used to pound shelled prey;
2. The rehabilitated sea otter must demonstrate basic survival skills and activities including active foraging, pelage management, diving, and resting;
3. The rehabilitated sea otter must demonstrate “normal” social skills including interest in other sea otters and should exhibit a wariness of humans and anthropogenic activities; and
4. The rehabilitated sea otter must not exhibit any aberrant behavior including behavior that may pose an unusual threat to human health and safety, wild sea otter populations, or other marine mammal populations.

6.4 Medical Assessment of Sea Otters

All rehabilitated sea otters must have a comprehensive, hands-on physical examination by a veterinarian experienced in sea otter medicine prior to release. The attending veterinarian must determine that the sea otter is likely to survive in the wild and must certify that:

1. Blood sampling performed within two weeks of the proposed release date, including a CBC and serum chemistry profile, falls within normal ranges for the species;
2. Medical diagnostic tests performed within two weeks of the proposed release date (e.g., cultures, biopsies, urinalysis, serology, virology, parasitology, immunology, etc) fall within normal parameters for the species or indicate a satisfactory state of health (reference CRC Handbook of Marine Mammal Medicine, 2nd Edition, Dierauf and Gulland 2001);
3. The rehabilitated sea otter should be free of drug residues (excluding sedatives used for transport or to facilitate physical examinations) and maintain good clinical health for two weeks prior to release or for a period that satisfies the attending veterinarian that the animal is healthy;

4. The rehabilitated sea otter must have functional vision and hearing, reasonable dental health, and good control and function of all appendages, at least to the degree that its survival in the wild is not compromised; and
5. The rehabilitated sea otter does not pose a known threat (e.g., transmission of pathogens, congenital defects) to the wild sea otter populations or human health and safety.

6.5 Release Categories for Sea Otters

Despite the best efforts to rehabilitate stranded sea otters, many animals die or can never be released to the wild. The following categories have been identified to help determine the status of sea otters being held for rehabilitation:

1. **“RELEASABLE”**: All rehabilitated sea otters meeting the medical and behavioral criteria listed above shall be considered releasable. Every effort should be made to release these animals to the wild as soon as they are deemed fit for release.
2. **“CONDITIONALLY RELEASABLE”**: All live-stranded sea otters admitted to a rehabilitation program shall be considered conditionally releasable pending the outcome of rehabilitative treatments and a full medical examination and behavioral evaluation.
3. **“NON-RELEASABLE”**: Sea otters that fail to meet one or more of the required criteria for release may be considered non-releasable. Rehabilitation facilities that believe that they may have an animal that is non-releasable must contact FWS (as identified in Appendix H) for concurrence on this finding and eventual disposition of the animal. Once FWS has determined that a sea otter is non-releasable, the holding facility may request a permit for permanent placement of the animal as long as the facility meets the requirements under section 104(c)(7) of the MMPA for non-depleted species, or section 104(c)(3) or (c)(4) and section 10 of the ESA for depleted species.

6.6 Identification of Sea Otters Prior to Release

Rehabilitation facilities must affix colored and numbered “Temple” tags to the rear flippers of each sea otter prior to release. In addition, a PIT tag must be implanted in the right inguinal area of each otter. With an appropriate scientific research permit issued by FWS, the rehabilitation facility may implant an abdominal VHF transmitter to facilitate post-release tracking and monitoring of the animals. In all cases, the selection of identification numbers, tag colors/positions, and VHF

frequencies must be coordinated with other facilities and researchers in the area that sea otters are released.

6.7 Release Site Selection for Sea Otters

All rehabilitated sea otters should be released at or near the site where they originally stranded. In cases where this is not feasible, other release sites may be considered under existing Federal permits, letters of authorization, or through consultation with personnel from the FWS (as identified in Appendix H). In all cases, rehabilitated sea otters must be released into the same stock or population from which they originated.

6.8 Post-Release Monitoring of Sea Otters

All facilities releasing rehabilitated sea otters must establish a post-release monitoring program appropriate for each sea otter. The purpose of post-release monitoring is to determine the success of rehabilitation efforts and provide an opportunity for rescue of animals not able to make the transition back to the wild. Sea otters brought into rehabilitation as young pups must be tracked intensively immediately after release. Juveniles or sub-adults may require a focused effort while adult animals may be tracked opportunistically. Sea otters implanted with VHF transmitters should be tracked and monitored periodically for the duration of the battery life of the transmitters (i.e., 1-3 years).

7. Policies Regarding Release of Rehabilitated Polar Bears

Polar bears occur in most ice-covered seas of the Northern Hemisphere and are circumpolar in distribution, although not continuously. Off the Alaskan coast, they normally occur as far south as the Bering Strait. In the Beaufort and Chukchi seas, polar bears make extensive migrations between the United States and Canada or Russian territories, respectively. These movements are thought to be related to seasonal and annual changes in ice position and condition.

Polar bears normally found stranded in Alaska and subsequently recovered are generally orphaned cubs-of-the-year that are either incapable of fending for themselves or have not yet developed the skills to adequately survive in the wild. While these animals are temporarily placed in facilities for the purposes of rehabilitation and release, in the long term, it is highly unlikely that such cubs would be suitable for release back into the wild. Hunting and survival skills are learned during the 2 ½ year dependence on the mother, are not innate to polar bear cubs, and will not be developed in captivity.

For the reasons noted above, the FWS considers polar bear cubs to be poor candidates for release into the wild. If releases were to occur the predicted likely outcomes would be death by starvation or death caused by a predacious attack of another polar bear. Further, adoption by another family group is unlikely or impractical due to the low probability of encountering a receptive family group. Adoption of cubs into family groups has been attempted in Canada with very poor success and Canada is re-evaluating the feasibility of adoption as a management technique. The process of adoption requires substantial investment in searching out a family group in the wild, capture of the group (assisted by helicopter), and placement and follow-up on the fate of the adoptee. In Alaska, holding facilities co-located near release sites are not available. Therefore, FWS does not consider adoption to be a viable alternative and generally consider polar bear cubs to be non-releasable and more suitable for permanent placement in public display facilities. In these cases, the holding facility may request a permit for permanent placement of the animal as long as the facility meets the requirements under section 104(c)(7) of the MMPA. However, FWS will continue to evaluate potential release into the wild or permanent placement in public display facilities on a case-by-case basis. Questions regarding disposition of stranded polar bears must be directed to the FWS as identified in Appendix H.

8. References

- Dierauf and Gulland 2001 Dierauf, L.A. and F.M.D. Gulland (eds.). 2001 CRC Handbook of Marine Mammal Medicine. CRC Press, Boca Raton, FL.
- Ewald 1993 Ewald, Paul. W. 1993. Host-parasite relations, vectors, and the evolution of disease severity. *Annual Review of Ecological Systems* 14: 465-485.
- Geraci and Lounsbury 2005 Geraci, J.R. and V.J. Lounsbury. 2005. Tagging and monitoring. *Marine Mammals Ashore: A Field Guide for Strandings*, Second Edition. National Aquarium in Baltimore, Baltimore, MD.
- Gilmartin *et al.* 1993 Gilmartin, W., E. Jacobson, W. Karesh, and M. Woodford. 1993. Working group report: Monitoring, investigation, and surveillance of disease in free-ranging wildlife. *Journal of Zoo and Wildlife Medicine* 23(3): 389-393.
- Griffith *et al.* 1993 Griffith, B., J.M. Scott, J.W. Carpenter, and C. Reed. 1993. Animal translocations and potential disease transmission. *Journal of Zoo and Wildlife Medicine* 24(3): 231-236
- Measures 2004 Measures, L.N., 2004. Marine mammals and “wildlife rehabilitation” programs. Canadian Science Advisory Secretariat Research Document 2004/122. 35 pp <http://www.dfo-mpo.gc.ca/csas/>.
- Moore *et al.* 2007 Moore, M., G. Early, K. Touhey, S. Barco, F. Gulland, and R. Wells. 2007. Rehabilitation and release of marine mammals in the united states: risks and benefits. *Marine Mammal Science* 23(4): 731-750
- Odegaard and Krogsrud 1981 Odegaard, O.A. and J.Krogsrud. 1981. Rabies in Svalbard: infection diagnosed in arctic fox, reindeer, and seal. *Veterinary Record* 109: 141-142.
- Spalding and Forrester 1993 Spalding, M.G. and D.J. Forrester. 1993. Disease monitoring of free-ranging and release wildlife. *Journal of Zoo and Wildlife Medicine* 24(3):271-280.
- St. Aubin and Dierauf 2001 St. Aubin, D.J. and, L.A. Dierauf. 2001. Stress and marine mammals. In CRC Handbook of Marine Mammal Medicine. Edited by L.A. Dierauf and F.M.D. Gulland, CRC Press, Boca Raton, FL.
- Stoddard *et al.* in press Stoddard, R.A., E.R. Atwill, P.A. Conrad, B. Byrne, S. Jang, J. Lawrence, B. McCowan and F.M.D. Gulland, In press. The effect of rehabilitation and use of antimicrobial drugs in northern elephant seals (*Mirounga angustirostris*) on antimicrobial resistance of commensal *Escherichia coli*. *Veterinary Microbiology*.
- Su *et al.* 2003 Su, C., D. Evans. R.H. Cole, J.C. Kissinger, J.W Ajioka, and L.D. Sibley. 2003. Recent expansion of *Toxoplasma* through enhanced oral transmission. *Science* 229: 414-416.

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APPENDIX A

Chronology of Development of the Release Criteria

1977 1st Workshop on Marine Mammal Strandings; sponsored by the Marine Mammal Commission - Geraci, J.R. and D. J. St Aubin (eds.) 1979. Biology of marine mammals: Insights through strandings. Marine Mammal Commission. Report. No. MMC-77/13. U.S. Department of Commerce, NTIS Doc. PB 293 890, 343 p. (August 1977- Athens, GA).

One of the workshop objectives was to provide recommendations regarding the handling, care, and disposition of live-stranded animals. A relevant finding that came from this workshop and was published in the proceedings included that if live-stranded animals are rescued and rehabilitated, decisions whether these animals should be released or maintained in captivity must take into account the possibility that the animals may have lost their natural capacity to locate and capture appropriate prey species, avoid predators, and interact normally with other members of the species.

1987 2nd Workshop on Marine Mammal Strandings; sponsored by the Marine Mammal Commission and the National Marine Fisheries Service - Reynolds, J.E. and D.K. Odell (eds.) 1991. Marine mammal strandings in the United States: proceedings of the second marine mammal stranding workshop; 3-5 December 1987, Miami, FL. U.S. Department of Commerce., NOAA Technical Report. NMFS 1998.

A recommendation that came from this workshop and was published in the proceedings was a call to establish guidelines and procedures for determining whether and how live-stranded animals should be marked and returned to the sea, transported to a holding facility, rehabilitated, and subsequently released or maintained in captivity, or euthanized to avoid further pain and suffering.

1991 Workshop on rescue, rehabilitation, and release of marine mammals; sponsored by the Marine Mammal Commission and the National Marine Fisheries Service - St. Aubin, D.J., J.R. Geraci, and V.J. Lounsbury (eds.) 1996. Rescue, rehabilitation, and release of marine mammals: an analysis of current views and practices. Proceedings of a workshop December 3-5, 1991, Des Plaines, IL. U.S. Department of Commerce, NOAA Technical Memorandum NMFS-OPR-8, 65 p.

The participants were charged to address five critical questions as well as discuss other outstanding and relative issues. They made several recommendations to include the assembly a panel of medical and behavioral specialists to recommend criteria for assuring that released animals will prosper humanely and pose no undesirable risk to the wild population. The guidelines should include a recommended set of medical determinations by species, with appropriate reference ranges for blood constituents and other clinical measures, morphometric limits (weight at length and age), a checklist for physical examination, and a means of scoring behavioral attributes that would influence survival in the wild. Minimum values should be set for each of these criteria, such that no animal failing any measure would be released. The panel

would incorporate the recommendations of the group considering the risks associated with specific pathogens, particularly for “carriers” that are otherwise normal and healthy. The participants also made recommendations on disease transmission and monitoring.

1992 Amendment of MMPA Title IV - 16 U.S.C. 1421a, Sec. 402. (a) DETERMINATION FOR RELEASE. The Secretary shall, in consultation with the Secretary of the Interior, the Marine Mammal Commission, and individuals with knowledge and experience in marine science, marine mammal science, marine mammal veterinary and husbandry practices, and marine conservation, including stranding network participants, develop objective criteria, after an opportunity for public review and comment, to provide guidance for determining at what point a rehabilitated marine mammal is releasable to the wild. Sec 402 (b) COLLECTION - The Secretary shall, in consultation with the Secretary of the Interior, collect and update, periodically, existing information on – (1) procedures and practices for – (A) rescuing and rehabilitating stranded marine mammals, including criteria used by stranding network participants, on a species-by-species basis, for determining at what point a marine mammal undergoing rescue and rehabilitation is returnable to the wild.

1994 Expert Panel on Behavior, Life History, and Natural History Criteria for Release of Rehabilitated Marine Mammals

Acting on the findings of the 1991 workshop entitled “Workshop on rescue, rehabilitation, and release of marine mammal,” NMFS consulted with the Working Group on Unusual Marine Mammal Mortality Events to develop draft criteria. An expert panel of 12 biologists, veterinarians, and animal care professionals was queried by Dr. Randall Wells of the Chicago Zoological Society in August 1994 to address 12 specific questions on marine mammal behavior, life history, and natural history relative to release. Dr. Wells submitted a report summarizing the panel’s responses to NMFS in November 1994, and reported the findings at the annual meeting of the Marine Mammal Commission in November 1994. This report included recommendations for release criteria, preparations for release, release, follow-up monitoring, and dissemination of findings. These recommendations were included in the draft document.

1994 Model for Marine Mammal Medical Criteria for Introduction to the Wild

In 1994, Dr. Gregory Bossart of the University of Miami, School of Medicine established a committee of seven nationally-recognized marine mammal veterinarians to formulate a draft of medical criteria that would act as guidelines for the re-introduction of wild marine mammal species. Marine mammal species included in this draft were cetaceans, pinnipeds, sea otters, and manatees. This draft was submitted to NMFS and became the working template for the present NMFS draft release medical guidelines.

1996 Final Rule NMFS 50 CFR Sec. 216.27(a) require release of a marine mammal held for rehabilitation within six months of capture unless “...the attending veterinarian determines that: (i) The marine mammal might adversely affect marine mammals in the wild (ii) Release of the marine mammal to the wild will not likely be successful given the physical condition and behavior of the marine mammal; or (iii) More time is needed to determine whether the release of the marine mammal in the wild will likely be successful...”

1991-1997 Working Group of Marine Mammal Unusual Mortality Events – This group established under Title IV of the Marine Mammal Protection Act closely guided the development of the first draft that was published in 1998.

1998 FR Notice Draft NOAA Technical Memorandum - NMFS and FWS Release for Stranded Marine Mammals to the Wild: Background, Preparation, and Release Criteria Vol.63, No. 67/ Wed, April 8, 1998

A notice of availability and request for comments was published in the Federal Register.

2001 April 24, 2001 Summary of Public Comments on Draft NOAA Technical Memorandum - NMFS and FWS Release for Stranded Marine Mammals to the Wild: Background, Preparation, and Release Criteria

NMFS received official responses from 20 individuals or organizations. There were several outstanding issues that required more development and clarification. NMFS decided to convene special working groups to address the comments.

2001 Working groups on pinnipeds and cetaceans

Three working groups were assembled by NMFS and FWS to address outstanding issues noted during the public comment period. Their recommendations have been incorporated into the current document.

APPENDIX B

Key Legislation: Marine Mammal Rescue, Rehabilitation, and Release to the Wild

- **Marine Mammal Protection Act (MMPA) of 1972**
 - Title I. - Conservation and Protection of Marine Mammals
 - Section 109 (h) - Taking of Marine Mammals as Part of Official Duties
 - Section 112 (c) - Contracts, Leases, and Cooperative Agreements
 - Title IV. - Marine Mammal Health and Stranding Response
 - Sec. 402 (a) - Determination for Release
 - (b) (1) – Procedures and Practices

- **Endangered Species Act of 1973, as amended**

- **Code of Federal Regulations, Title 50, part 216 – Regulations governing the taking and importing of marine mammals**
 - Section 22 – Taking by the State or Local Government Officials
 - Section 27 - Release, Non- Releasability, and Disposition Under Special Exception Permits for Rehabilitated Marine Mammals
 - (a) Release Requirements, (b) Non-releasability and postponed determinations, (c) Disposition for special exceptions purposes, (d) Reporting
 - Subpart D – Special Exceptions for Threatened and Endangered Marine Mammals
 - Marine Mammal Health and Stranding Response Program Enhancement Permit

- **Code of Federal Regulations, Title 50, part 18 – Marine Mammals**
 - Section 22 – Taking by Federal, State, and Local Government Officials
 - Section 31 – Scientific Research Permits and Public Display Permits

- **Code of Federal Regulations, Title 50, part 17 – Endangered and Threatened Wildlife and Plants**
 - Section 21 (c)(3) – Endangered Wildlife Prohibitions – Take
 - Section 31 (b) – Threatened Wildlife Prohibitions
 - Section 22 – Endangered Wildlife Permits for Scientific Purposes, Enhancement of Propagation of Survival, or for Incidental Taking
 - Section 32 – Threatened Wildlife Permits - General

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APPENDIX C

REQUIRED REPORTING AND DOCUMENTATION

Marine Mammal Stranding Report - Level A Data (NOAA 89-864, OMB #0648-0178)

Marine Mammal Rehabilitation Disposition Report (NOAA 89-878, OMB #0648-0178)

Manatee Rescue, Rehabilitation and Release Report

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Manatee Rescue, Rehabilitation, and Release Report Fields

<u>Rescue: Reporting Requirements</u>	<u>Release: Request Information</u>	<u>Transfer: Request Information</u>	<u>Death: Reporting Requirements</u>	<u>Captive Birth: Reporting Requirements</u>
<p>Name of Reporting Organization Date Report Filed Date Event Occurred Type of Rescue Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>PIT Tag</p> <ul style="list-style-type: none"> ▪ Right (identifying number) ▪ Left (identifying number) <p>Freeze Brand (yes/no)</p> <ul style="list-style-type: none"> ▪ Number <p>Sex Weight (lbs/kg)</p> <ul style="list-style-type: none"> ▪ Actual/estimated <p>Length (cm/inches)</p> <ul style="list-style-type: none"> ▪ Actual/estimated <p>Ultrasound (yes/no) County Nearest Town/Community Waterbody Latitude/Longitude Probable Cause for Rescue</p> <ul style="list-style-type: none"> ▪ (Drop down list includes various common causes; additional information is required for entangled animals) <p>Health Status at Time of Report Rehabilitation Facility (if any) Veterinarian Facility Supervisor Rescue Participants Name of Reporter Telephone Number</p>	<p>Name of Requesting Organization Date Request Filed Date Event Proposed Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>PIT Tag</p> <ul style="list-style-type: none"> ▪ Right (identifying number) ▪ Left (identifying number) <p>Freeze Brand (yes/no)</p> <ul style="list-style-type: none"> ▪ Number <p>Other Tags Name of Tracker/Affiliation Tracker Telephone Number Sex Weight (lbs/kg)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Length (cm/inches)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Peduncle Girth (cm)</p> <ul style="list-style-type: none"> ▪ Date Taken <p>Ultrasound (yes/no) County Where Rescued Nearest Town/Community Waterbody Latitude/Longitude Date of Rescue Weight at Time of Rescue Length at Time of Rescue Proposed Date of Release Actual Date of Release County Where Released Nearest Town/Community Where Released Waterbody Where Released Veterinarian Facility Supervisor Release Participants Name of Reporter Telephone Number</p>	<p>Name of Requesting Organization Date Request Filed Date Event Proposed Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>Sex Weight (lbs/kg)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Length (cm/inches)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Date Brought Into Captivity Date of Proposed Transfer Actual Date of Transfer Veterinarian Facility Supervisor Release Participants Name of Reporter Telephone Number</p>	<p>Name of Reporting Organization Date Report Filed Date Died Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>Sex Date Rescued Probable Cause of Death (or Euthanized) Disposition of Carcass Veterinarian Facility Supervisor Name of Reporter Telephone Number</p>	<p>Name of Reporting Organization Date Report Filed Date Born Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>Sex Weight (lbs/kg)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Length (cm/inches)</p> <ul style="list-style-type: none"> ▪ Actual ▪ Date Taken <p>Present Health Status Origin of Dam Circumstances of Birth Dam Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number (if any) ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered) <p>Sire Identification</p> <ul style="list-style-type: none"> ▪ Name (if any) ▪ Studbook Number (if any) ▪ Identification Numbers (in the case of multiple numbers, all numbers should be entered)

APPENDIX D

DISEASES OF CURRENT CONCERN FOR CETACEANS

The diseases listed below are of current concern for cetaceans. Numerous additional diseases exist among cetaceans and should also be considered during diagnostic work-ups. Testing for specific diseases of cetaceans is not required at this time. However, thorough diagnostic testing of rehabilitated cetaceans is strongly recommended as warranted by their history and clinical signs of illness. Clinicians are particularly encouraged to test cetaceans for brucellosis and morbillivirus. NMFS may require disease testing for specific individuals prior to release if concern for the health of wild marine mammals exists or concern exists regarding the animal's likelihood of survival in the wild. Contact the NMFS coordinator for information regarding the appropriate diagnostic laboratories.

A good resource to obtain updated literature on diseases of marine mammals is through the Animal Welfare Information Center (<http://awic.nal.usda.gov>), part of the United States Department of Agriculture National Agriculture Library.

BACTERIAL DISEASES COMMENTS

Brucellosis

Serologic evidence or isolation of this bacterium has been made several species of cetaceans as well as those in captivity. Different serovar than terrestrial species. Current limited understanding of pathophysiology and significance. May cause reproductive illness, isolated from an aborted captive bottlenose dolphin fetus. Zoonotic. Human case followed handling of marine mammal tissues. (Dunn et.al., 2001; Brew et al., 1999; Clavareau, 1998; Miller, et.al., 1999).

Erysipelothrix

Has caused acute septicemia or generalized dermatitis in several cetacean species including wild orca. Believed to be acquired from ingestion of fish contaminated with the organism. Zoonotic, causes dermatitis, arthritis, pneumonia, or septicemia in humans. (Dunn et.al., 2001; Young et.al., 1997; Cowan et.al., 2001.)

Respiratory Illness

Respiratory illness is common among both captive and wild cetaceans. Such disease often involves bacterial pathogens and is frequently fatal. *Staphylococcus aureus* and *Pseudomonas aeruginosa* as well as Gram negative bacterial organisms are often involved. Pulmonary parasitism may contribute to development of bacterial respiratory disease. (Dunn et.al., 2001; Howard et.al.1983; Kinoshita et al. 1994).

VIRAL DISEASES

- Morbillivirus** Has caused major epizootics with high mortalities in bottlenose dolphins, common dolphins, and striped dolphins. Has also infected other cetacean species. Testing for cetacean morbillivirus is strongly recommended for all cetaceans in rehabilitation centers. (Kennedy-Stoskopf, 2001; Kennedy, 1998; Duigan, 1999).
- Poxvirus** Common infection of captive and wild cetaceans characterized by skin lesions. Not known to cause systemic infection. Appearance of lesions may correlate with weaning, poor general health, and/or compromised environmental conditions. (Kennedy-Stoskopf, 2001; Van Bresseem and Van Waerebeek, 1996; Geraci et al. 1979).
- Papillomavirus** Has caused lesions of the skin, genital area, stomach, and tongue of several cetacean species. Sometimes referred to as benign tumors. Genital lesions may be transmitted venereally and may interfere with copulation. (Kennedy-Stoskopf, 2001; Deguise et al., 1994; Van Bresseem et al., 1996).

PARASITIC DISEASES

- Toxoplasmosis gondii*** Protozoan parasite which has caused serious disease and death in cetacean species. Source of infection not clearly defined. (Dailey, 2001; Migaki, 1990.)
- Anasakid nematodes** Family of nematodes which parasitize the cetacean gastrointestinal tract. Infections may cause gastritis and ulceration. (Dailey, 2001; Smith, 1989).
- Hepatic trematodes** Heavy infection may cause serious liver disease associated with weight loss, increased susceptibility to bacterial infection. May result in death. (Dailey, 2001; Zam et al., 1971.)
- Nasitrema sp.*** Nematode parasite which infects nervous systems of cetaceans. May be a significant cause of stranding in odontocetes. Causes eighth cranial neuropathy, encephalitis, and cerebral necrosis. (Dailey, 2001).
- Lungworms** Includes nematode genera such as *Halocercus* which may cause severe respiratory disease and may cause death, depending on severity of infection. (Dailey, 2001; Measures, 2001; Moser and Rhinehart, 1993).

NONINFECTIOUS DISEASES

- Anthropogenic trauma** Entanglement in debris such as fishing nets and lines, collisions with boats, and underwater detonation of explosives may injure or kill cetaceans. The number of animals affected relative to total population may cause particular concern for some species (i.e. right whales and boat collisions, small odontocetes and fisheries by-catch). (Gulland et al. 2001, Kraus, 1990, Perrin et.al., 1994).
- Biotoxins** Toxins naturally produced from dinoflagellates and diatoms have been associated with illness and death in cetaceans. Brevetoxin was a possible cause of bottlenose dolphin mortality in 1946-47 and 1987-1988. Humpback whale mortality was associated with consumption of mackerel containing saxitoxin. (Gunter et.al., 1948; Geraci, et.al., 1989).
- Neoplasia** Belugas of the St. Lawrence River have had a concerning rate of neoplasia. Other cases of neoplasia have been reported in several species. Etiology of cetacean tumors is not known. Interplay of physical, chemical, and/or infectious agents with host factors such as age, sex, and genetic make-up likely involved with tumorigenesis. (Gulland et.al., 2001; De Guise et.al., 1994).

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APPENDIX E

DISEASES OF CURRENT CONCERN FOR PINNIPEDS

The diseases listed below are of current concern for pinnipeds. Numerous additional diseases exist among pinnipeds and should also be considered during diagnostic work-ups. Testing for specific diseases of pinnipeds is not required at this time. However, thorough diagnostic testing is strongly recommended for pinnipeds as warranted by their history and clinical signs of illness. NMFS, or in the case of walrus the FWS, may require disease testing for specific individuals prior to release if concern for the health of wild marine mammals exists or if there is significant concern regarding the animal's likelihood of survival in the wild. Contact the NMFS coordinator, or the FWS in the case of walrus, for information regarding appropriate diagnostic laboratories.

A good resource to obtain updated literature on marine mammal diseases is through the Animal Welfare Information Center (<http://awic.nal.usda.gov>), part of the United States Department of Agriculture, National Agriculture Library.

BACTERIAL DISEASES COMMENTS

Brucellosis

Serologic evidence or isolation of this organism has been obtained for phocids and walrus. Different serovar than terrestrial species. Current limited understanding of pathophysiology and significance. May cause reproductive illness. Zoonotic. Human case followed handling of marine mammal tissues. (Dunn et.al., 2001; Garner et. al., 1997).

Leptospirosis

Severe systemic illness that frequently affects California sea lions and northern fur seals. Infection may be obtained at sea, in rookeries, or via contact with fresh water sources contaminated by infected terrestrial mammals via contamination of water sources. May be treated with antibiotics. Zoonotic. (Dunn et.al., 2001; Schoenwald et. al., 1971; Gulland et.al., 1996, Stamper et al., 1998).

Mycobacterial Disease

Illness characterized primarily by skin or pulmonary lesions diagnosed in several pinniped species. Caused by organisms which include those responsible for tuberculosis. Recently diagnosed in wild subantarctic fur seals. Zoonotic. (Dunn et. al., 2001, Cousins et.al., 1993, Bastida et.al., 1999).

VIRAL DISEASES

- Adenovirus** Caused fatal hepatitis in California sea lions. Source of virus unknown, but may be related to canine adenovirus. (Kennedy-Stoskopf, 2001; Dierauf et.al., 1981).
- Calicivirus** Several pinniped species susceptible. Causes skin lesions in California sea lions. Numerous animal species may be infected by calicivirus including fish, reptiles, mammals. Transmission from marine mammals to terrestrial animals and vice versa possible. Unconfirmed as zoonotic but possibility exists. (Kennedy-Stoskopf, 2001; Smith and Boyt, 1990; Gage, et.al., 1990; Barlough et.al., 1998).
- Herpes Virus** May infect several pinniped species including walrus. Causes fatal disease in neonatal Pacific harbor seals characterized by severe adrenal gland and liver pathology. (Kennedy-Stoskopf, 2001; Gulland et.al., 1997).
- Influenza** Caused high mortality among Atlantic harbor seals. Endemic among this population. Changes in virulence may cause disease outbreaks. Related to avian influenza. Zoonotic. Has caused severe conjunctivitis among humans. (Kennedy-Stoskopf, 2001; Webster et.al., 1981).
- Morbillivirus** Endemic in several phocid species. May cause high morbidity and mortality. Seals have been infected by the canine morbillivirus as well as a morbillivirus specific for phocids. (Kennedy-Stoskopf, 2001; Kennedy, 1998; Duignan, 1999).
- Pox** Causes skin lesions in several pinniped species. Outbreaks may be associated with stress as with postweanling animals recently introduced to captivity. Zoonotic. May cause skin lesions on humans. (Kennedy-Stoskopf, 2001; Hicks and Worthy, 1987).

PARASITIC DISEASES

- Helminths** A variety of nematode, trematode, and cestode parasites infect pinnipeds, causing varying degrees of clinical disease. For instance, the nematode *Contracaecum corderoi* has caused gastrointestinal perforations and fatal peritonitis in California sea lions. (Dailey, 2001; Fletcher, 1998.)

Cryptosporidiosis	Protozoan gastrointestinal parasite recently isolated from several pinniped species. Limited current knowledge of pathophysiology in pinnipeds. Zoonotic. (Miller, et.al., 2001; Deng, et.al., 2000).
Giardia	Protozoan gastrointestinal parasite identified in phocids and the California sea lion. Incidence and severity of clinical illness not fully understood. Zoonotic. (Miller, et.al., 2001; Measures and Olson, 1999.)
Sarcocystis	Protozoan parasite that may cause severe neurologic disease and death. Important cause of mortality among Pacific harbor seals. Organism may be found in waste from humans or their activities. (Miller, et. al., 2001; LaPointe, et.al., 1998).

NONINFECTIOUS DISEASES

Anthropogenic trauma	Gunshot, underwater detonation of explosives, and entanglement in debris such as fishing nets and lines cause morbidity and mortality among pinnipeds. (Gulland, et.al., 2001).
Biotoxins	Harmful algal blooms producing domoic acid have caused significant sea lion mortality. (Gulland, 2000; Schoelin, et.al. 2000).
Neoplasia	Carcinoma, an aggressive tumor often associated with the urogenital system is common in California sea lions. May be linked to viral infections and/or exposure to environmental contaminants. (Buckles, et.al., 1996, Gulland, et.al., 1996, Lipscomb, et.al., 2000).

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APPENDIX F

DISEASES AND ISSUES OF CURRENT CONCERN FOR MANATEES

The diseases and issues listed below are of current concern for manatees. Other diseases exist among manatees and should also be considered during diagnostic work-ups. Testing for specific diseases of manatees is not required at this time. However, thorough diagnostic testing of rehabilitated manatees is strongly recommended as warranted by their history and clinical signs of illness. FWS may require disease testing for specific individuals prior to release if concern for the health of wild marine mammals exists or concern exists regarding the animal's likelihood of survival in the wild. Contact the FWS stranding support staff for information regarding the appropriate diagnostic laboratories.

A good resource to obtain updated literature on marine mammal diseases is through the Animal Welfare Information Center (<http://awic.nal.usda.gov>), part of the United States Department of Agriculture National Agriculture Library.

BACTERIAL DISEASES COMMENTS

- Brucellosis** Antibodies to *Brucella* spp. have been reported in Florida manatees, although lesions consistent with brucellosis have not been observed (Geraci et al., 1999).
- Other** Systemic mycobacteriosis due to *Mycobacterium marinum* and *M. chelonae* (Boever et al., 1976), and mycotic dermatitis (Dilbone, 1965; Tabuchi et al., 1974), have been reported in adult manatees.

VIRAL DISEASES

- Cutaneous papillomatosis** Recently described in a captive population of manatees. PCR analyses has demonstrated a virus consistent with Type I bovine papilloma virus. (Bossart et al., 1998a)
- Morbillivirus** Serologic evidence of morbillivirus has been demonstrated in manatees, although signs of clinical disease or active infection has not been observed (Duignan et al., 1995).
- Other** Pseudorabies, San Miguel sea lion virus Type I, and eastern, western, and Venezuelan equine encephalitis have been reported in Florida manatees (Geraci et al., 1999). While these are serologically evident, no signs of clinical disease or active infection have been observed.

PARASITIC DISEASES

Meningoencephalitis *Toxoplasma gondii* has caused the death(s) of Florida manatees (Buerguelt and Bonde, 1983).

Other Endoparasites are commonly found in manatees; however, pathological signs or clinical disease are rare (Bossart 2001).

NONINFECTIOUS DISEASES

Anthropogenic trauma Collisions with boats, entanglement in fishing gear (monofilament fishing line, crab float lines, etc.), crushing in water control structures, etc., are sources of injury and mortality

Biotoxins Brevetoxins associated with *Kerenia brevi* and possibly other dinoflagellates have killed dozens of Florida manatees. Suspected vectors include ingestion of toxin-containing ascidians and sea grasses and inhalation of aerosolized toxicants (Bossart 2001).

Cold stress syndrome Exposure to cold for extended periods of time initiates clinical signs and disease processes that characterize manatee cold stress syndrome. Effects include lethargy, anorexia, and terminal hypothermia. Numerous significant cold fronts extending the length of the Florida peninsula have caused deaths and cold stress in dozens of manatees over the past few decades (Bossart 2001).

APPENDIX G

DISEASES OF CURRENT CONCERN FOR SEA OTTERS

The diseases listed below are of current concern for sea otters. Numerous additional diseases exist among sea otters and should also be considered during diagnostic work-ups. Testing for specific diseases of sea otters is not required at this time. However, thorough diagnostic testing is strongly recommended for sea otters as warranted by their history and clinical signs of illness. FWS may require disease testing for specific individuals prior to release if concern for the health of wild marine mammals exists or if there is significant concern regarding the animal's likelihood of survival in the wild. Contact the FWS coordinator for information regarding appropriate diagnostic laboratories.

A good resource to obtain updated literature on marine mammal diseases is through the Animal Welfare Information Center (<http://awic.nal.usda.gov>), part of the United States Department of Agriculture, National Agriculture Library.

BACTERIAL DISEASES COMMENTS

Septicemias

Overwhelming bacterial infections, sometimes from infected wounds, dental problems, and intestinal infections, are a common cause of mortality in southern sea otters, often secondary to infectious perforation by acanthocephalans (California Department of Fish and Game (CDFG) unpublished data), and a significant cause of mortality in northern sea otters in Alaska (FWS unpublished data). Connections with sewage or animal wastes are suspected in some infections; however, for northern sea otters, the source of this infection is often unknown.

Valvular endocarditis

This is a sporadic disease secondary to chronic bacterial seeding from a primary source of infection such as a bite wound or tooth abscess. However, northern sea otters in Alaska have been diagnosed with VE without a primary source (FWS unpublished data). These animals have tested positive for the *Streptococcus bovis/equinus* complex. In human cases, there is an association between *S.bovis* endocarditis cases and a malignancy of the GI tract.

Brucellosis

One culture and PCR-confirmed case in a California sea otter with a chronic toe joint infection and low-level systemic disease (CDFG unpublished data). Fastidious in culture and easily missed. Marine Brucellae have demonstrated zoonotic potential, so caution is advised when handling fetal tissues, or live or dead animals with infected joints and wounds.

Dental disease Dental disease is common, particularly in older animals and can lead to systemic bacterial infections.

Leptospirosis Problem common in sea lions (see above pinniped section). Positive serologic titers in southern sea otters (Hanni *et al.* 2003). Cases reported in northern sea otters in Washington State. No clinical case identified in southern sea otters to date, although seropositive animals are observed. No cases reported for northern sea otters in Alaska.

FUNGAL DISEASES

Coccidiomycosis Low levels of infections (less than 1 percent) in southern sea otters, mostly off the San Luis Obispo county coast around the mouth of the Santa Maria River. Cases always fatal. Not reported in northern sea otters. Biohazard for people handling dead sea otters.

VIRAL DISEASES

Morbillivirus Conflicting evidence on whether exposure is relatively common or not in southern sea otters. Canine distemper has been diagnosed in a river otter in coastal British Columbia (Mos *et al.* 2003) and positive serologic titers have been noted in northern sea otters in Washington State. Care must be taken in moving otters if this virus is present in some populations and not others. Seropositivity to both canine and phocine distemper has been identified in northern sea otters in Washington and Alaska (FWS unpublished data).

Papillomavirus Some evidence of this type of viral infection occurs, significance probably not great. Typically presents as small, raised variably pigmented plaques on the lips, tongue, or buccal mucosa. Occurrence often episodic and invariably incidental in southern sea otters (CDFG unpublished data).

Herpesvirus Associated with corneal, oral, and esophageal ulcers, often in debilitated animals in California and Alaska.

PARASITIC DISEASES

Toxoplasma gondii

Protozoan parasite which can cause serious disease and death in southern sea otters (Miller *et al.* 2004) and northern sea otters in Washington State. High prevalence of exposure in California with moderate mortality rate. There is evidence of wide exposure in California and Washington State (Lindsay *et al.* 2001; Miller *et al.* 2002; Dubey *et al.* 2003; Conrad *et al.* 2005). Northern sea otters in Alaska rarely test positive (FWS unpublished data). Source of infection not clearly defined but hypothesized to be associated with freshwater inputs to the ocean in California (Miller *et al.* 2002; Dailey 2001; Migaki 1990).

Sarcocystis neurona

Protozoan parasite that may cause severe neurologic disease and death. Important cause of mortality among southern sea otters and northern sea otters in Washington State. Infections appear to progress more quickly than *T. gondii* (Miller *et al.* 2001; Miller 2006). No evidence of this in northern sea otters in Alaska.

Helminths

A variety of nematode, trematode, and cestode parasites infect sea otters, causing varying degrees of clinical disease. Acanthocephalan thorny headed worms, particularly the *Profilicollis* spp. may be pathogenic when overwhelming infestations occur, particularly in young animals (Mayer *et al.* 2003).

Mites

Nasal mite infestations are uncommon in wild animals, but heavy infections may occur in captive and rehabilitated animals. Heavy infections can result in secondary bacterial nasopharyngitis and pneumonia.

Giardia

Some live, captive northern sea otters in Alaska have tested positive (FWS unpublished data).

NONINFECTIOUS DISEASES

Anthropogenic trauma

Gunshot, boatstrike, oil spills, and entanglement in debris such as fishing nets, fishing lines, and hooks cause morbidity and mortality among sea otters. Alaskan otters have died from impactions with fish bones when feeding at cannery outfalls (FWS unpublished data).

Biotoxins

Harmful algal blooms particularly those producing domoic acid have caused some morbidity and mortality of sea otters in California (Gulland 2000; Jessup *et al.* 2004).

**Persistent Organic
Pollutants**

Levels in southern sea otters and northern sea otters in Alaska adjacent to known military dump sites are high (50-100 times control populations). Potential effects on endocrine and immune functions are a cause for concern, but evidence for this or for acute toxicity are lacking.

Predation

White shark predation on southern sea otters is well documented. Some cases may be secondary to brain infections or intoxications that render otters helpless. Killer whale predation is hypothesized to be very significant in the decline of certain northern sea otter populations in Alaska.

Neoplasia

A number of types of neoplasia have been documented in northern sea otters (FWS unpublished data).

Intestinal Disease

Sea otters have been known to suffer from intestinal intussusceptions, torsions, and impactions not caused by human related causes.

Conspecific Trauma

Territorial males will often attack other male or pups. Males may also injure females during mating.

References:

- Conrad, P.A., M.A. Miller, C. Kreuder, E.R. James, J. Mazet, H. Dabritz, D.A. Jessup, F. Gulland, and M.E. Grigg. 2005. Transmission of *Toxoplasma*: Clues from the study of sea otters as sentinels of *Toxoplasma gondii* flow into the marine environment. *International Journal for Parasitology* 35:1155-1168.
- Dailey, M. D. 2001. Parasitic Diseases. *In* CRC Handbook of Marine Mammal Medicine, 2nd Edition L. A. Dierauf and F. M. D. Gulland (eds.). CRC Press, Boca Raton, Florida. Pp. 309-335.
- Dubey, J.P., R. Zarnke, N.J. Thomas, S.K. Wong, W. Van Bonn, M. Briggs, J.W. Davis, R. Ewing, M. Mense, O.C.H. Kwok, S. Romand, and P. Thulliez. 2003. *Toxoplasma gondii*, *Neospora caninum*, *Sarcocystis neurona*, and *Sarcocystis canis*-like infections in marine mammals. *Veterinary Parasitology* 116:275-296.
- Gulland, F. 2000. Domoic acid toxicity in California sea lions (*Zalophus californianus*) stranded along the central California coast, May-October 1998. Report to the National Marine Fisheries Service Working Group on unusual Marine Mammal Mortality Events. US Dept. Commerce NOAA Technical Memorandum NMFS-OPR-17, December 2000.
- Hanni, K.D., J.A.K. Mazet, F.M.D. Gulland, J. Estes, M. Staedler, M.J. Muray, M. Miller, and D.A. Jessup. 2003. Clinical pathology and assessment of pathogen exposure in southern and Alaskan sea otters. *Journal of Wildlife Diseases* 39(4):837-850.
- Jessup D.A., M.A. Miller, M.Harris, B. Hatfield, J.A. Estes. 2004. The 2003 southern sea otter (*Enhydra lutris nereis*) unusual mortality event: A preliminary report to NOAA and USFWS.
- Lindsay, S.D., N.J. Thomas, A.C. Rosypal, and J.P. Dubey. 2001. Dual *Sarcocystis neurona* and *Toxoplasma gondii* infection in a Northern sea otter from Washington state, U.S.A. *Veterinary Parasitology* 97:319-327.
- Mayer, K., M. Dailey and M. Miller. 2003. Helminth parasites of the southern sea otter (*Enhydra lutris nereis*) from central California: abundance, distribution and pathology. *Diseases of Aquatic Organisms*. 53:77-82.
- Migaki, G., Sawa, T.R. and Dubey, J.P. 1990. Fatal disseminated toxoplasmosis in a spinner dolphin (*Stenella longirostris*). *Vet. Pathol.* 27:463-464.

- Miller, M.A., P. R. Crosbie, K. W. Sverlow, K. Hanni, B. C. Barr, N. Kock, M. J. Murray, L. J. Lowenstine, A. Packham and P. A. Conrad. 2001. Isolation and characterization of *Sarcocystis* from brain tissue of a free-living southern sea otter (*Enhydra lutris nereis*) with fatal meningoencephalitis. *Parasitology Research*. 87:252-257.
- Miller, M.A., I.A. Gardner, A. Packham, J.K. Mazet, K.D. Hanni, D.A. Jessup, J. Estes, R. Jameson, E. Dodd, B.C. Barr, L.J. Lowenstine, F.M. Gulland and P.A. Conrad. 2002. Evaluation of an indirect fluorescent antibody test (IFAT) for demonstration of antibodies to *Toxoplasma gondii* in the sea otter (*Enhydra lutris*). *J. Parasitol.* 88:594-599.
- Miller, M.A., M.E. Grigg, C. Kreuder, E.R. James, A.C. Melli, P.R. Crosbie, D.A. Jessup, J.C. Boothroyd, D. Brownstein, and P.A. Conrad. 2004. An unusual genotype of *Toxoplasma gondii* is common in California sea otters (*Enhydra lutris nereis*) and is a cause of mortality. *International Journal for Parasitology* 34:275-284.
- Miller, M. A. 2006. Tissue Cyst-Forming Coccidia of Marine Mammals. In: *Zoo and Wildlife Medicine*. M. Fowler and E. Miller, Eds: In press.
- Mos, L., P.S. Ross, D. McIntosh, and S. Raverty. 2003. Canine distemper virus in rivers otters in British Columbia as an emergent risk for coastal pinnipeds. *Veterinary Record* 152:237-239.

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APPENDIX H

Contact Information for NMFS and FWS National and Regional Stranding Support Staff

National Marine Fisheries Service

OFFICE	ADDRESS	PHONE
Headquarters	Office of Protected Resources Marine Mammal Health and Stranding Response Program 1315 East-West Highway Silver Spring, MD 20910	Phone: (301) 713-2322 Fax: (301) 427-2522
Northeast Region	Administrator, Northeast Region One Blackburn Drive Gloucester, MA 01930-2298	Phone: (978) 281-9250 Fax: (978) 281-9207
Southeast Region	Administrator, Southeast Region 263 13 th Ave. South St. Petersburg, FL 33701	Phone: (727) 824-5301 Fax: (727) 824-5320
Northwest Region	Administrator, Northwest Region 7600 Sand Point Way, NE Bin C 15700, Bldg. 1 Seattle, WA 98115-0070	Phone: (206) 526-6150 Fax: (206) 526-6426
Southwest Region	Administrator, Southwest Region 501 West Ocean Blvd. Suite 4200 Long Beach, CA 90802-4213	Phone: (562) 980-4001 Fax: (562) 980-4018
Alaska Region	Administrator, Alaska Region P.O. Box 21668 Juneau, AK 99802-1668	Phone: (907) 586-7221 Fax: (907) 586-7249
Pacific Islands Region	Administrator, Pacific Islands Region 1601 Kapiolani Blvd., Suite 1110 Honolulu, HI 96814	Phone: (808) 944-2280 Fax: (808) 973-2941

U.S. Fish and Wildlife Service

OFFICE	ADDRESS	PHONE
Headquarters	Division of Habitat and Resource Conservation 4401 N. Fairfax Drive, Room 400 Arlington, VA 22203	Phone: (703) 358-2161 Fax: (703) 258-1869
LOAs and Permits	Division of Management Authority 4401 N. Fairfax Drive, Room 700 Arlington, VA 22203	Phone: (703) 358-2104 Fax: (703) 358-2281
Manatees	Jacksonville Field Office 6620 Southpoint Drive South, Suite 310 Jacksonville, FL 32216	Phone: (904) 232-2580 Fax: (904) 232-2404
Southern Sea Otters in California	Ventura Field Office 2493 Portola Road, Suite B Ventura, CA 93004	Phone: (805) 644-1766 Fax: (805) 644-3958
Northern Sea Otters in Washington	Washington Field Office 510 Desmond Drive SE, Suite 102 Lacey, WA	Phone: (360) 753-9440 Fax: (360) 753-9518
Polar Bears, Pacific Walrus, and Northern Sea Otters in Alaska	Marine Mammals Management Office 1011 E. Tudor Road Anchorage, AK 99503	Phone: (907) 786-3800 Fax: (907) 786-3816

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APPENDIX I

Cetacean – Species Specific Developmental Stages (Age-Length) and Social Dynamics

<u>Scientific Name</u>	<u>Common Name</u>	<u>Approx Length at Birth (cm)</u>	<u>Approx "NEONATE" length (cm)</u>	<u>Approx Length at 1 Year of Age (cm)</u>	<u>Approx Length at 2 Years of Age (cm)</u>	<u>Approx Age at Weaning (yrs)</u>	<u>Approx Length at Weaning (cm)</u>	<u>Approx. Adult Length (cm)</u>	<u>Typical Group Size</u>	<u>Freq. of Occur. Single Individuals</u>
<i>Delphinapterus leucas</i>	Beluga Whale	160	130-160	216	250	2	250	300-400 F 400-450 M	up to hundreds	uncommon
<i>Delphinus capensis</i>	Long-beaked Saddleback Dolphin	< 100							up to thousands	uncommon
<i>Delphinus delphis</i>	Common Dolphin	80-90	80-100				110-120	230-250	up to thousands	uncommon
<i>Feresa attenuata</i>	Pygmy Killer Whale	80						240-270	1-70	occasional
<i>Globicephala macrorhynchus</i>	Short-finned Pilot Whale	140-185	150			2-3		400-500 F 500-600 M	up to several hundred	rare
<i>Globicephala melas</i>	Long-finned Pilot Whale	177	160-200			2-3	240	450-500 F 450-600 M	up to several hundred	rare
<i>Grampus griseus</i>	Risso's Dolphin	110-150	120-160					300-400	single to several hundred	occasional
<i>Kogia breviceps</i>	Pygmy Sperm Whale	120	100-120			1		300 - 370	1-6	not uncommon
<i>Kogia sima</i>	Dwarf Sperm Whale	95	100			1		210-270	1-10	not uncommon
<i>Lagenodelphis hosei</i>	Fraser's Dolphins	100	100					240	100-1000	uncommon
<i>Lagenorhynchus acutus</i>	Atlantic White-sided Dolphin	108-122	100-130	142-156	176-190	1.5	180	240-270	2-500	uncommon
<i>Lagenorhynchus albirostris</i>	White Beaked Dolphin	110-120	110-130					300-320	1-100 (to 1500)	occasional
<i>Lagenorhynchus obliquidens</i>	Pacific White-sided Dolphin	92	80-100					220-230	tens to thousands	uncommon
<i>Lissodelphis borealis</i>	Northern Right Whale Dolphin	80-100	80-100					220-230 F 260-300 M	100-200	occasional
<i>Mesoplodon densirostris</i>	Blainville's Beaked Whale	200						450-470	1-7	occasional
<i>Mesoplodon europaeus</i>	Gervais' Beaked Whale	210	210					450-520	small groups	uncommon
<i>Orcinus orca</i>	Killer Whale	183-228	210-250			1.5-2.0	400	700-800 F 800-950 M	2-100	infrequent - adult males
<i>Peponocephala electra</i>	Melon-Headed Whale	100						270	150-1500	uncommon
<i>Phocoena phocoena</i>	Harbor Porpoise	70	70-90	110-135	115-155	0.3 - 1.0	100 - 110	140-170	small groups	not uncommon

<u>Scientific Name</u>	<u>Common Name</u>	<u>Approx Length at Birth (cm)</u>	<u>Approx "NEONATE" length (cm)</u>	<u>Approx Length at 1 Year of Age (cm)</u>	<u>Approx Length at 2 Years of Age (cm)</u>	<u>Approx . Age at Weaning (yrs)</u>	<u>Approx Length at Weaning (cm)</u>	<u>Aprox. Adult Length (cm)</u>	<u>Typical Group Size</u>	<u>Freq. of Occur. Single Individuals</u>
<i>Phocoenoides dalli</i>	Dall's Porpoise	100	100			0.3-2.0		180-220	2-12	uncommon
<i>Physeter macrocephalus</i>	Sperm Whale	400	350-500		670	2+	670	1100-1300 F 1500-1800 M	20-40 (50)	adult males
<i>Pseudorca crassidens</i>	False Killer Whale	160	170-200			1.5-2.0		500 F 550-600 M	10-20+	rare
<i>Stenella attenuata</i>	Pantropical Spotted Dolphin	85	80-100	129-142		1-2	140	120	<100 to thousands	uncommon
<i>Stenella clymene</i>	Clymene Dolphin							180-200	1-50	occasional
<i>Stenella coeruleoalba</i>	Striped Dolphin	93-100	100	166	180		170	220-260	10-100s	uncommon
<i>Stenella frontalis</i>	Atlantic Spotted Dolphin	100	80-120				140	200-230	1-15	uncommon
<i>Stenella longirostris</i>	Spinner Dolphin	76-77	70-80	133-137		1-2		180-220	up to thousands	uncommon
<i>Steno bredanensis</i>	Rough-toothed Dolphin	100						240-270	10-20	uncommon
<i>Tursiops truncatus</i>	Bottlenose Dolphin	117	100-130	170-200	170-225	1.5-2.0	225	220-300 (coastal) 250-650 (offshore)	2-15	occasional
<i>Ziphius cavirostris</i>	Cuvier's Beaked Whale	270	200-300					670 - 700	1-7	not uncommon

Pinniped – Species Specific Developmental Stages (Age-Length) and Pupping Information

<u>Scientific Name</u>	<u>Common Name</u>	<u>Approx Length at Birth (cm)</u>	<u>Approx "NEONATE" length (cm)</u>	<u>Approx. Age at Weaning</u>	<u>Approx Length at Weaning (cm)</u>	<u>Approx. Adult Length (cm)</u>	<u>Pups Born</u>	<u>Peak of Pupping</u>
<i>Arctocephalus townsendi</i>	Guadalupe Fur Seal	60	60	9-11 months		140-170 F 180-240 M	June	June
<i>Callorhinus ursinus</i>	Northern Fur Seal	60-65	60	3-4 months		100-150 F 190-230 M	June-July	June-July
<i>Cystophora cristata</i>	Hooded Seal	90-100	90-110	4-12 days		200-230 F 230-290 M	Late March	Late March
<i>Erignathus barbatus</i>	Bearded Seal	130	130	12-18 days	150	210-250	Mid-October to Mid-November	End of October
<i>Eumetopias jubatus</i>	Steller Sea Lion	100	100	Within 1 yr	180	220-290 F 240-330 M	Mid-May to Mid-June	Mid-June
<i>Halichoerus grypus</i>	Gray Seal	90-110	80-110	16-21 days	110	180-210 F 220-250 M	January-February	January
<i>Histiophoca fasciata</i>	Ribbon Seal	80-90	80-90	3-4 weeks	90-110	150-180	April-May	Early April
<i>Mirounga angustirostris</i>	Northern Elephant Seal	125	120-140	28 days	150	200-320 F 380-410 M	January	End of January
<i>Monachus schauinslandi</i>	Hawaiian Monk Seal	100	100	3-7 weeks	100	230-240 F 210-220 M	December-August	March- May
<i>Odobenus rosmarus</i>	Walrus	100-120	100-140	2+ years	200	230-260 F 270-320 M	April-June	May
<i>Pagophilus groenlandicus</i>	Harp Seal	85	80-110	12 days	100	160-190	February-March	March
<i>Phoca larga</i>	Spotted Seal	77-92	80-90	4-6 weeks	110	160-170	Early April- Early May	Early April
<i>Phoca vitulina</i>	Harbor Seal	70-100	70-90	3-6 weeks	90	150-190	May-June	May
<i>Pusa hispida</i>	Ringed Seal	60-65	60-70	6-8 weeks	80	120-150	Mid-March to Mid-April	Early April
<i>Zalophus californianus</i>	California Sea Lion	75	70	10-12 months		150-200 F 200-240 M	June	June

References:

Marine Mammals Ashore: A Field Guide for Strandings second edition, J.R.Geraci and V.J. Lounsbury, ©National Aquarium in Baltimore, 2005.

Marine Mammals Ashore : A field guide for strandings J.R. Geraci and V.J. Lounsbury ©SeaGrant College Program, Texas A&M University, 1993. ISBN: 1883550017

Guide to Marine Mammals of the World. R.R. Reeves, B.S. Stewart, P.J. Clapham, and J.A. Powell. Chanticleer Press, Inc., New York, 2002.

Seals of the World. Judith E. King Comstock Publishing Association, Cornell Press, Ithaca, New York, 1983

Handbook of Marine Mammals Volume 4 *River dolphins and the larger toothed whales.* Edited by Sam H. Ridgway and Richard Harrison. Academic Press, London, New York, 1989. ISBN: 0125885040

Handbook of Marine Mammals Volume 5 *The first book of dolphins.* Edited by Sam H. Ridgway and Richard Harrison. Academic Press, London, New York, 1994. ISBN: 0125885059

Handbook of Marine Mammals Volume 6 *The Second book of dolphins and the porpoises.* Edited by Sam H. Ridgway and Richard Harrison. Academic Press, San Diego, 1999. ISBN: 0125885067

APPENDIX J

“Recommended” Standard Checklist to Determine Release Category of all Rehabilitated Cetaceans

Yes = true statement, No= untrue statement (shaded areas may not be applicable)

History

1. The release candidate has NOT previously stranded
2. Stranding was NOT associated with a Marine Mammal Unusual Mortality Event or ongoing epidemic
3. Stranding was NOT associated with anthropogenic environmental accident (e.g., hazardous waste spill, acoustic insult)
4. Stranding was NOT associated with an environmental event of NMFS concern (e.g., harmful algal bloom, fish kill, etc.)
5. Stranding was NOT associated with an El Niño event
6. The animal is NOT evidence or part of a human interaction or criminal case
7. Stranding was NOT associated with a mass stranding
8. The animal was NOT part of a “permitted” research project

Release Determination Assessment (within 2 weeks of release)		Pre-Release Assessment (within 72 hours of release)	
Yes	No	Yes	No

Developmental Stage

9. The release candidate is of sufficient size and age to be nutritionally dependent
10. The release candidate is NOT a female with calf
11. The release candidate is NOT a geriatric animal and is NOT compromised due to age related conditions.
12. There is NO evidence that the release candidate was exposed to terrestrial wild or domestic animals prior to and during rehabilitation

Behavioral Clearance

13. The release candidate demonstrates appropriate breathing, swimming, and diving
14. The release candidate does NOT exhibit aberrant behavior including attraction to or desensitization to the presence of humans
15. The release candidate does NOT exhibit auditory or visual dysfunction
16. The release candidate demonstrates appropriate foraging ability
17. The release candidate did NOT strand as a direct result of a failure to avoid predators

Behavioral Clearance (continued)

- 18. The release candidate did NOT strand as a result of taking food from humans in the wild
- 19. The release candidate did NOT strand as a direct result of a demonstrated inability to obtain sufficient food in the wild
- 20. The release candidate did NOT strand as a direct result of a conspecifics injury

Release Determination Assessment (within 2 weeks of release)		Pre-Release Assessment (within 72 hours of release)	
Yes	No	Yes	No

Medical Clearance

- 21. The attending veterinarian has reviewed the release candidate's history and medical records, including records from other facilities that have previously held the animal.
- 22. The attending veterinarian has examined the release candidate within two weeks of release
- 23. The required health screen and assessments were conducted with good results
- 24. Hands-on physical exam to be performed by attending veterinarian within 72 hours of release
- 25. NO congenital defects
- 26. CBC compatible with good health
- 27. Chemistry profile compatible with good health
- 28. Serum banked upon admission and prior to release (3 ml)
- 29. Additional testing requested and reviewed by NMFS and no apparent concerns
- 30. Free of drugs (exclusive of sedatives used for transport) minimum of 2 weeks prior to release
- 31. Veterinarian's signature on health statement

Health Statement

I have examined the cetacean (Species and ID#) _____ on (Date) _____ and have determined that the animal is medically and behaviorally suitable for release in accordance with the release criteria in that the animal will not pose a risk to the wild population and is likely to survive upon reintroduction to the wild.

Signature of the Attending Veterinarian

Printed Name of the Attending Veterinarian

Signature of the Authorized Representative

Printed Name of the Authorized Representative

“Recommended” Standard Checklist to Determine Release Category of all Rehabilitated Pinnipeds (except walrus)

Yes = true statement, No= untrue statement (shaded areas may not be applicable)

History

1. The release candidate has NOT previously stranded
2. Stranding was NOT associated with a Marine Mammal Unusual Mortality Event or ongoing epidemic
3. Stranding was NOT associated with anthropogenic environmental accident (e.g., hazardous waste spill, acoustic insult)
4. Stranding was NOT associated with an environmental event of NMFS concern (e.g., harmful algal bloom, fish kill, etc.)
5. Stranding was NOT associated with an El Niño event
6. There is NO evidence that the release candidate was exposed to terrestrial wild or domestic animals prior to and during rehabilitation
7. The release candidate is NOT known to have inflicted a bite on human(s)
8. The animal is NOT evidence or part of a human interaction or criminal case
9. The animal was NOT part of a “permitted” research project

Release Determination Assessment (within 2 weeks of release)		Pre-Release Assessment (within 72 hours of release)	
Yes	No	Yes	No

Developmental Stage

10. The release candidate is weaned, and has a proven ability to feed itself
11. The release candidate is sufficiently robust, having adequate reserves to survive readjustment in the wild
12. The release candidate shows no sign of molt

Behavioral Clearance

13. The release candidate demonstrates appropriate breathing, swimming, diving, and locomotion on land
14. The release candidate demonstrates an absence of aberrant behavior including attraction to or desensitization to the presence of humans
15. The release candidate does NOT exhibit auditory or visual dysfunction

Behavioral Clearance (continued)

16. The release candidate demonstrates a capacity to chase and capture live prey

Medical Clearance

17. The attending veterinarian has reviewed the release candidate's history and medical records, including records from other facilities that have previously held the animal.

18. The attending veterinarian has examined the release candidate within two weeks of release

19. The required health screen and assessments were conducted with good results

20. Hands-on physical exam to be performed by attending veterinarian within 72 hours of release

21. NO congenital defects

22. NO nonfunctional or damaged appendages

23. NO defects in vision

24. CBC compatible with good health

25. Chemistry profile compatible with good health

26. Serum banked upon admission and prior to release (3 ml)

27. Additional testing requested and reviewed by NMFS and no apparent concerns

28. Free of drugs (exclusive of sedatives used for transport) minimum of 2 weeks prior to release

29. Veterinarian's signature on health statement

	Release Determination Assessment (within 2 weeks of release)		Pre-Release Assessment (within 72 hours of release)	
	Yes	No	Yes	No

Health Statement

I have examined the pinniped (Species and ID#) _____ on (Date) _____ and have determined that the animal is medically and behaviorally suitable for release in accordance with the release criteria in that the animal will not pose a risk to the wild population and is likely to survive upon reintroduction to the wild.

Signature of the Attending Veterinarian

Printed Name of the Attending Veterinarian

Signature of the Authorized Representative

Printed Name of the Authorized Representative

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NATIONAL MARINE FISHERIES SERVICE (NMFS) CRITERIA
FOR DISENTANGLEMENT ROLES AND TRAINING LEVELS

Levels of Participation in the Disentanglement Network – Definitions

Roles	Levels
First Responder	1-5
Primary First Responders	3-5
Primary Disentanglers	4-5

First Responder is a general term that is used to describe anyone in the Network with any level of training who may respond to an entanglement report under Network protocols and authorization. At a minimum they will voluntarily attempt to standby with an entangled whale and, depending on training, experience, authorization and equipment available, may also assess and perhaps tag the whale. Individuals with higher Network ratings (Levels 3-5) may act as **Primary First Responders** in local areas. Primary First Responders direct efforts locally and, under certain conditions and authorization, may attempt disentanglements during first response. These individuals have rapid access to vessels and specialized equipment. Additionally, Primary First Responders are on call full-time or at least during those times when there is a high likelihood of an entanglement report in their area of responsibility.

A First Responder's anticipated range of tasks is generally dependent on their classification in the Network. Classifications to various levels are determined on an individual basis and are based on a number of factors including, but not limited to the following:

- Preexisting experience and skills
- Willingness and commitment to build experience and improve skills
- Training
- Opportunity and available resources
- Location
- Commitment to being “on-call”
- Commitment to respond as needed

Primary Disentanglers are individuals who can perform all of the responsibilities of a first responder, but who also meet the criteria used by NMFS for selecting individuals who may undertake the very dangerous activity of disentangling (i.e. attaching to, stopping and cutting a whale free). Primary Disentanglers must have the experience, training, support and proper equipment at the time of the event to conduct a full disentanglement with a high likelihood of success. Primary Disentanglers are those rated at Level 4-5 in the Disentanglement Network. A summary of the various levels of certification follows.

DISENTANGLEMENT NETWORK CERTIFICATION

LEVEL 1

Targeted Individuals: Professional mariners (i.e. fishermen, naturalists, Marine Patrol Officers) Boating experience and/or experience around whales is highly suggested (i.e. professional fishing, field biology, marine law enforcement, whale watching, etc.)

Responsibilities

Level 1 activities: report, standby, and assess (within experience)

- Rapidly alert Disentanglement Network of first-hand and/or second-hand knowledge of local entanglements
- Depending on experience, stand by an entangled whale until backup arrives, and/or
- Communicate with crew on the vessel that is directly standing by the entangled whale and offer to replace the stand by vessel until additional backup or the response team arrives (if needed and within experience)

Criteria for certification

- Completed Level 1 classroom training, or
- Viewed Provincetown Center for Coastal Studies (PCCS) Training Video and demonstrated equivalent knowledge and experience (submit resume)

LEVEL 2

Targeted Individuals: Professional mariners (i.e. fishermen, naturalists, Marine Patrol Officers). There is a higher expectation of commitment and participation from Level 2 responders.

Responsibilities

Level 2 activities: report, stand by, and assess at a higher level (within experience)

- Provide a thorough assessment of the nature of the entanglement and the species, condition and behavior of the whale
- Provide local knowledge, transportation, and assistance to Primary First Responders, as needed, on a voluntary basis
- Be on call, as available, to assist in planned disentanglement operations on telemetry tagged whales

Criteria for certification

Level 1 certification in addition to the following:

- Completed Level 2 on-water training, or
- Viewed PCCS Training Video and demonstrated equivalent knowledge and experience (submit resume)

LEVEL 3

Targeted Individuals: Whale researchers and naturalists, fishermen, natural resource agency personnel, Marine Patrol Officers.

Responsibilities

Level 3 activities- report, stand by, assess, document and attach a telemetry buoy. Other activities may include:

- Be on call 24 hours and should respond if conditions allow
- Initiate and maintain preparedness with local fishing industry, Coast Guard, and other resources
- Prepare local disentanglement action plan
- Provide entanglement assessment, documentation and recommendations to Primary
- Disentangle during events
- Attach telemetry equipment to entangling gear if needed and authorized
- May be asked (depending on experience) to disentangle a minor entanglement with potential to adversely affect any whale other than right whales under the supervision/authorization of

Level 4 or 5 network members. Authorization and supervision may be given over the phone or radio depending on the circumstances and level of experience.

Criteria for certification

Level 1 and 2 certification and experience in the following elements:

- Large whale species identification and behavior, and the ability to safely follow a free swimming, entangled whale
- Boat handling and safety including basic seamanship, driving, and close approaches to whales
- Line handling and safety including knowledge of knots, handling lines under pressure, and an understanding of how working lines behave
- Follows instructions and response plans

Note: Each candidate will be evaluated for each element and any deficiencies must be supplemented with adequate training and/or experience.

Additionally, all Level 3 responders must have:

- Basic Level 3 training, or
- Advanced Level 3 training - an apprenticeship with PCCS

LEVEL 4

Targeted Individuals: Whale researchers and naturalists, fishermen, natural resource agency personnel, Marine Patrol Officers.

Responsibilities

Level 4 activities-

- Report, stand by, assess, document, attach a telemetry buoy, consult on an action plan and disentangle all large whales except right whales
- Report, stand by, assess, document and attach a telemetry buoy to right whales
- On a case by case basis and after consultation (see commitment to consult under Level 5 below), certain cuts on known entangled right whales may be permitted at level 4 ***if the proposed action is first approved by level 5 disentanglers and NMFS***

Please Note: Entangled whale behavior varies considerably by species. However, Level 4 Disentanglers should routinely be able to attempt disentanglement of all large whales other than right whales.

Criteria for certification

Basic or Advanced Level 3 Certification and:

- Direct experience in a supervised (by PCCS/Network coordinators or NMFS) large whale disentanglement, documentation of that experience, and a positive evaluation from NMFS using information provided by PCCS/Network Coordinators and any hard documentation (*i.e.* video)
- When possible, commitment to consultation as detailed in Level 5 below

LEVEL 5

Targeted Individuals: Level 4 Responders

Responsibilities

Level 5 activities - report, stand by, assess, document, attach a telemetry buoy, consult on an action plan and disentangle all large whales including right whales.

Please Note: Right whales are aggressive and therefore generally the most difficult whales to disentangle. North Atlantic right whales are among the most critically endangered large whales in the world. Certification at this level is highly selective and specialized.

Criteria for certification

Level 4 certification and:

- Experience w/ right whale behavior and/or includes a person on the team directly involved in the whale disentanglement (in the boat with the whale) that is experienced in right whale behavior
- Documented participation in a right whale disentanglement and/or NMFS/PCCS review of video of participation in a right whale disentanglement that followed NMFS protocol
- Commitment to Consultation to include:

- Immediate Consultation: when possible, use satellite/cell phones to bring in additional ideas/experience from other level 5s and level 4s (and vets and behaviorists if appropriate) while on scene with an entangled right whale
- Action Plan Development: For a tagged right whale, consultation required with NMFS, level 5s and 4s, veterinarians, behaviorists, etc.

Rationale for consultation: First assessments and strategies almost invariably change with more discussion or information. Consultation will likely help to increase human safety and critical choices regarding risks to whale health must be made with the best available information.

Best Practices for Marine Mammal Response, Rehabilitation, and Release

Glossary of Terms

Animal Care Supervisor– Responsible for overseeing prescribed treatments, maintaining hospital equipment, and controlling drug supplies. The person should be adequately trained to deal with emergencies until the veterinarian arrives, be able to direct the restraint of the animals, be responsible for administration of post-surgical care, and be skilled in maintaining appropriate medical records. It is important that the animal care supervisor should communicate frequently and directly with the attending veterinarian to ensure that there is a timely transfer of accurate information about medical issues.

Assessment Team – The team of individuals who collectively assess the rehabilitation case and make a release determination recommendation. This team could include the attending veterinarian, lead animal care supervisor, and/or consulting biologist with knowledge of species behavior and life history).

Attending Veterinarian - U.S. licensed veterinarian [i.e., graduated from a veterinary school accredited by the American Veterinary Medical Association Council on Education, or has a certificate by the American Veterinary Graduates Association’s Education Commission for Foreign Veterinary Graduates or has received equivalent formal education as determined by NMFS Administrator (adapted from the Animal Welfare Act Regulations 9 CFR Ch. 1)] who has the responsibility to oversee veterinary medical aspects of live animal care and is also responsible for assuring the health of marine mammals released back to the wild following rehabilitation.

Authorized Representative- Individual with signatory authority for the stranding organization. This individual may be the signatory of the stranding agreement (e.g., Executive Director, President, CEO, etc.).

Bite - An injury from an animal that results in a break in the skin (epidermis).

Cohorts- Belonging to same species.

Conspecifics- Belonging to same species.

Diseases of Public Health and Safety Concern- Diseases that have been identified by Federal and State agencies (e.g., Centers for Disease Control and Prevention and state public health agencies) that pose a significant risk to public health.

Diseases of Zoonotic Concern- Diseases that are transmitted from animals to humans.

Ecological Status- A concept to consider when making release determinations. This concept attempts to integrate the medical and behavioral evaluations into an extrapolation of how the animal would likely do in the wild when exposed to typical ecological pressures

Emerging Diseases- Newly recognized serious disease, the cause of which may or may not yet be established, that has the potential to spread within and between populations.

Epidemic (adjective)- Affecting or tending to affect an atypically large number of individuals within a population, community, or region at the same time.

Epizootic (noun)- An outbreak of disease affecting many animals of one kind at the same time (similar to epidemic and term typically used in for animals)

ESA- Endangered Species Act

Ethogram- A catalogue of the discrete behaviors typically employed by a species. These behaviors are sufficiently stereotyped that an observer may record the number of such acts, or the amount of time engaged in the behaviors in a period of time.

FWC – Florida Fish and Wildlife Conservation Commission

FWS (U.S. Fish and Wildlife Service) - The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people.

FWS Division of Management Authority (DMA)- The Division of Management Authority implements domestic laws and international treaties to promote long term conservation of global fish and wildlife resources. In response to ever-increasing global pressures of wildlife trade and habitat loss on species worldwide, the office dedicates its efforts to conserving species at risk through trade and implementing policies that have a broad impact on conservation overall.

FWS Field Offices- The program operations of the FWS are performed at various types of field installations within FWS Regional Offices. The FWS Field Offices that are involved with health and stranding of marine mammals under jurisdiction of the FWS are identified in Appendix H.

FWS Letter of Authorization (LOA) - LOAs are issued by the FWS Division of Management to authorize under a “permit” network individuals, facilities, and agencies to rescue, rehabilitate, and release species under their jurisdiction that are in need of assistance. Authorizations and requirements are specific to the species, the organization, and the activity being conducted.

Humane Care- Treatment of an animal in such a way to both minimize pain and suffering and (by providing for proper care and use of the animal) to maximize well being of the individual and the population into which it is to be released.

Human Interaction- Physical signs or evidence (e.g., wounds, marks, gear, etc.) of direct human associated interaction that may or may not be related to the stranding.

Key Personnel – Individuals who represent the stranding organization and serve in key positions such as the authorized representative, primary responder, animal care supervisor, and attending veterinarian.

Letter of Concurrence from the NMFS Regional Administrator (RA) - The official notification from the NMFS regional office that concurs with the release determination recommendation.

Letter of Intent- A letter from a prospective permanent care facility requesting custody of a non-releasable animal. This letter must be sent to the NMFS Office of Protected Resources, Permits, Conservation and Education Division (http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.htm).

MMPA- Marine Mammal Protection Act

MMPA/ESA Permit No. 932-1489-09- A permit issued by the NMFS Office of Protected Resources, Permits, Conservation and Education Division to the Marine Mammal Health and Stranding Response Program (MMHSRP). The permit covers some of the MMHSRP’s activities, including emergency response activities for threatened and endangered species, large whale disentanglement activities, health assessment studies, and other research projects.

Marine Mammal Unusual Mortality Event- A stranding that is unexpected, involves a significant die-off of any marine mammal population, and demands immediate response.

Necropsy Team Leader- A NMFS approved team leader, responsible for all aspects of the necropsy. The Necropsy Team Leader assigns task during the necropsy and is responsible for the gross report and final necropsy report.

NMFS- National Marine Fisheries Service

NMFS National Stranding Coordinator- Develops national policy and guidance and oversees the national marine mammal stranding program (part of the NMFS Marine Mammal Health and Stranding Response Program)

NMFS Office Director- Office Director for the National Marine Fisheries Service, Office of Protected Resources

NMFS PR1- NMFS Office of Protected Resources, Permits, Conservation and Education Division

NMFS Regional Director- Regional Administrator for the National Marine Fisheries Service Regional Office (regional specific)

NMFS Regional Stranding Coordinator- Coordinates administration of the stranding program within the region.

NMFS Stranding Agreement- The official written agreement between NMFS and Stranding Network Participant as allowed under section 112(c) of the Marine Mammal Protection Act.

Primary Responder – Oversees all aspects of each stranding response and be on-site or supervising when live or dead animals are being examined or handled (i.e., paid staff and unpaid staff). If working with live animals, be in direct contact with the attending veterinarian if necessary.

Panmictic- Referring to unstructured populations (random mating).

Pre-Release Health Screen- Required to be completed prior to release of animals following rehabilitation in accordance with these guidelines

Reasonable Social Group- Refers to in association with conspecifics of similar age, sex, and/or relatedness as would be found in social groups observed in the wild.

Release Determination Recommendation- The official written recommendation for release or non release signed by the attending veterinarian and signatory rehabilitation facility and sent to the NMFS Regional Director.

Release Plan- If release is recommended and NMFS concurs, the release plan will include a timeline, release site, method of transport and tagging/post release monitoring. Conditional releases will require an expanded release plan including a justification and detailed description of the logistics, tagging, location, timing, crowd control, media coordination (if applicable), and post release monitoring. NMFS may require contingency plans, should the release be unsuccessful, including recapture of the animal following a specified time after release.

Reportable Diseases- Diseases that pose a significant concern to public health, agriculture, and marine mammal populations and are required to be reported to NMFS and state agencies.

Responsible Party of Record- This is the official who has the legal authority to make acquisition and disposition decisions on behalf of an organization, institution, or agency that is holding marine mammals in captivity. This person's signature is required on the Letter of Intent to permanently retain or acquire a nonreleasable animal.

Signatory- The individual who signed the official stranding agreement between the stranding organization and NMFS (e.g., Executive Director, President, CEO).

Stranding Network Participant - A nongovernmental entity authorized by an agreement (Stranding Agreement) with NMFS to respond to stranded marine mammals under section 112(c) of the Marine Mammal Protection Act, which provides special exemption from the take prohibition.

Sub Designee- An entity acting under the authority and oversight of the Stranding Network Participant.

Surveillance Program- A method of surveillance that generates a source of information on the animal health status of populations.

Transfer Authorization Letter- The letter issued by NMFS PR1 to the receiving facility which authorizes retention or acquisition of a marine mammal that has been deemed nonreleasable.

USGS – United States Geological Survey

Working Group on Marine Mammal Unusual Mortality Events- An official panel of scientific experts established by the Marine Mammal Protection Act to who advise the NMFS and FWS regarding unusual mortality events.

109(h) Stranding Participant- State or local government official who can respond to a stranded marine mammal for the protection or welfare of the marine mammal and protection of public health and welfare during the course of their official duties. Section 109(h) of the Marine Mammal Protection Act provides special exemption from the take prohibition.

Zoonotic- Diseases caused by infectious agents that can be transmitted between (*or are shared by*) animals and humans.

APPENDIX D

SCOPING REPORT- MARCH 2006

Marine Mammal Health and Stranding Response Program Environmental Impact Statement

Scoping Report
March 2006



Photo by NMFS NWR



Photo by Lyme Barre, NMFS



Photo by Provincetown Center for Coastal Studies



National Marine Fisheries Service
Office of Protected Resources
1315 East-West Highway
Silver Spring, MD 20910

ACRONYMS

CFR	Code of Federal Regulations
EIS	Environmental Impact Statement
ESA	Endangered Species Act
MMHSRP	Marine Mammal Health and Stranding Response Program
MMPA	Marine Mammal Protection Act
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOI	Notice of Intent
NOAA	National Oceanic and Atmospheric Administration
OSP	Optimal Sustainable Population
SA	Stranding Agreement
UME	Unusual Mortality Event

**SCOPING REPORT FOR THE
MARINE MAMMAL HEALTH AND STRANDING RESPONSE PROGRAM
ENVIRONMENTAL IMPACT STATEMENT**

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APPENDICES

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- B Informational Fact Sheets from Public Scoping Meetings
- C Public Scoping Meeting Transcripts, January 24- February 17, 2006
- D Comments Received During Scoping Process

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1. Introduction

The National Marine Fisheries Service (NMFS) published a Notice of Intent (NOI) in the Federal Register on December 28, 2005 (Appendix A). The NOI announced NMFS' decision to prepare an Environmental Impact Statement (EIS) on the activities of the Marine Mammal Health and Stranding Response Program (MMHSRP) and conduct public scoping meetings. The EIS is being prepared in accordance with the National Environmental Policy Act (NEPA). The NOI began the official scoping process for the EIS. This document summarizes the scoping process and the comments received during the process.

1.1 EIS Background Information

NMFS coordinates and operates the MMHSRP for response to stranded marine mammals and research on marine mammal health, pursuant to Title IV of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1421). Marine mammal stranding response is primarily conducted by a network of volunteer organizations across the country that are government officials under the authority of §109(h) or other groups that have entered into a Stranding Agreement or Letter of Agreement (SA or LOA) with NMFS pursuant to §112(c) of the MMPA. The MMHSRP operates at the national and regional level to coordinate and facilitate these responses.

To provide further guidance to marine mammal stranding network members and to nationally standardize the guidelines and protocols of participants in the stranding network, NMFS has developed several policy documents that are collectively named the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release*. These documents are currently issued on an interim basis, and the MMHSRP is proposing to issue them in final after the NEPA analysis is concluded.

Some activities of the MMHSRP are conducted under a permit issued under the MMPA and Section 10(a)(1)(A) of the Endangered Species Act (ESA) by the Permits, Conservation, and Education Division of the NMFS Office of Protected Resources. The permit covers stranding and emergency response activities (including disentanglement) for endangered marine mammal species, health assessment studies, and a variety of other research projects.

The current MMPA/ESA permit expires on June 30, 2007. A NEPA analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. A NEPA analysis must

also be completed to issue the final version of the *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release* manual.

1.2 Purpose of Scoping

NEPA defines scoping as an “early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action” (40 CFR 1501.7). NMFS is required by NEPA to include scoping as part of the EIS process. The scoping meetings provided NMFS the opportunity to inform the public regarding the MMHSRP’s EIS and to obtain public input on the range of issues to be covered in the EIS. Comments were also collected via e-mail, postal mail and fax during the scoping process.

2. Scoping Meetings Summary

2.1 Public Notices

Announcements for the dates and locations of scoping meetings were sent to 253 entities, including federal and state government agencies, Alaska natives, Native American tribes, and non-governmental organizations. In addition, a total of 160 packets with the scoping meeting information and additional background documentation were sent to marine mammal stranding network members, marine mammal disentanglement network members, and MMPA/ESA research permit co-investigators.

Meeting announcements were sent to the email list for the Northeast, Southeast, and Southwest Regional stranding networks. An announcement was also sent to the MARMAM list-serve, an edited e-mail discussion list focusing on marine mammal research and conservation. The scoping meeting schedule was also available on the MMHSRP website at <http://www.nmfs.noaa.gov/pr/health/eis.htm>.

2.2 Newspaper Announcements of Public Notice

Public notices announcing the scoping meetings were published in a newspaper in each of the meeting locations. The notices were published one week before the meeting date. Each notice included the date, time, and location of the meeting, and where additional information on the EIS could be obtained. The newspapers and dates the announcements were published are listed below:

- Santa Barbara News-Press: January 17, 2006
- The San Francisco Examiner: January 18, 2006

- The Honolulu Advertiser: January 20, 2006
- The Seattle Times: January 23, 2006
- Anchorage Daily News: January 25, 2006
- St. Petersburg Times: January 31, 2006
- The Boston Globe: February 6, 2006
- The Washington Post: February 10, 2006

2.3 Information Repositories

Information on the MMHSRP and the EIS was available at a public library in each of the scoping meeting locations. Information was also available on the MMHSRP website. Information included the interim draft of the Best Practices and Policies Manual; the NOI; and handouts summarizing the MMHSRP, the EIS Process, and the Proposed Action and Alternatives.

2.4 Public Scoping Meetings

Eight public scoping meetings were held in January and February of 2006. Meeting locations were chosen in each of the six NMFS regions: Alaska, Northeast, Northwest, Southeast, Southwest (two meetings), and the Pacific Islands. A meeting was also held at the National Oceanic and Atmospheric Administration (NOAA) Headquarters in Silver Spring, Maryland. Table 1 lists the meeting locations, date, time, number of attendees, and the number of oral comments received. The number of attendees is an approximation, as not all attendees signed in at the meeting. The number of attendees also includes the NMFS regional stranding coordinators, when applicable.

At the entrance to each meeting, attendees were encouraged to sign the registration sheet. Attendees could sign up to present oral comments or to be placed on the EIS mailing list. Written comment forms, the NOI, and handouts with information on the EIS and MMHSRP were also available at the entrance (see Appendix B).

The meetings consisted of a poster session, a formal presentation by NMFS personnel, an oral comment period, and an informal question and answer session. The poster session allowed the public to ask NMFS personnel questions before the meeting. The formal presentation provided the audience with information on NEPA, the EIS process, the MMHSRP, and the alternatives under consideration. The oral comment period provided attendees the opportunity to make a formal statement. The informal question and answer period allowed attendees to ask questions about information provided

in the presentation. Each meeting was captured by a court reporter for an accurate public record (the informal question and answer session was not recorded). Official transcripts from each meeting are in Appendix C. Written comments were also accepted at the meeting. Attendees were informed that NMFS would accept written comments until February 28, 2006.

Table 1. Public Scoping Meeting Information

Location	Date/Time	Number of Attendees	Number of Oral Comments
Santa Barbara, CA Santa Barbara Natural History Museum	January 24, 2006 7:00-10:00 pm	6	1
San Francisco, CA Bay Conservation and Development Commission	January 25, 2006 2:00-5:00 pm	12	2
Honolulu, HI Hawaiian Islands Humpback Whale National Marine Sanctuary	January 27, 2006 3:00-6:00 pm	7	0
Seattle, WA NMFS Northwest Regional Office	January 30, 2006 2:00-5:00 pm	15	2
Anchorage, AK USFWS Building	February 1, 2006 2:00-5:00 pm	12	0
St. Petersburg, FL NMFS Southeast Regional Office	February 7, 2006 5:00-8:00 pm	20	1
Boston, MA New England Aquarium	February 13, 2006 5:00-8:00 pm	25	5
Silver Spring, MD Silver Spring Metro Center, Building 4, Science Center	February 17, 2006 2:00-5:00 pm	17	2

3. Scoping Comments

During the scoping period (December 28, 2005 to February 28, 2006) 35 comments were collected regarding the EIS during public meetings and through e-mail, fax, and mail (Appendix D). Comments addressed two specific areas: the EIS and the interim Policies and Best Practices documents.

3.1 EIS Comments

The following is a summary of the types of comments received on the EIS during the scoping process:

Alternatives

General

- Support for the MMHSRP's Proposed Actions.
- The No Action, Status Quo, and the activity curtailed immediately alternatives are not reasonable alternatives.
- All stranded marine mammals should be treated equally.
- Information gained from one species may be applied to another species.
- Some prioritizing process is needed, due to limited funding.
- Priority for response (in Alaska) should be based upon factors such as knowledge of the species and if the species is involved in a fishery interaction or human consumption.
- The mandate of the MMPA to protect and conserve marine mammals does not discriminate or distinguish among species.
- Support for the current level of effort under the MMHSRP activities.
- Status quo alternative does not give enough flexibility to conduct research on stranded animals.

Response Alternatives

- Support for the alternative to revise and implement stranding agreement (SA) criteria.
- There should not be different standards of stranding response for different species or regions, regardless of status.
- Standards and levels of responses should be the same regardless of species with the exception that endangered and threatened should receive priority in the face of conflicts of space or commitment.
- For initial animal response, the "Response to some animals required, others optional" alternative is preferred, but suggest re-wording the alternative and a different required/optional breakdown under the alternative.

Carcass Disposal/Euthanasia Alternatives

- Support for the alternative of transporting chemically euthanized animals off-site (other animals are left, buried, or transported as feasible).
- Need to be treated as two separate activities, as disposal of non-euthanized carcasses is also an issue.
- None of the proposed alternatives are optimal, but removal of chemically euthanized animals is the best.

- Unclear whether the “All animals buried on site” and “All animals transported off-site for disposal” alternatives refer to all carcasses or only those that have been chemically euthanized. Stranding members cannot be responsible for either burial or off-site transport of all marine mammal carcasses (without further funding).
- Euthanasia guidelines are needed for large animals and endangered animals.

Rehabilitation Alternatives

- We do not agree with any of the alternatives as written.
- Rehabilitation should be a part of any effective environmental program for the protection and conservation of marine mammals.
- Support for the alternative to modify and implement the rehabilitation facility guidelines.
- Rehabilitation efforts for different populations and/or species might be prioritized based on their status. Resources for rehabilitation should be weighted towards species that are known to be below the optimal sustainable population (OSP) or towards species for which there is insufficient data to accurately assess the population size. Species at or above the OSP should receive lower priority, allowing stranding network members to choose, based on availability, whether or not they rehabilitate these animals.
- Unwise to stop requiring rehabilitation of more common species as emerging diseases, harmful algal blooms, and other unusual events are more likely to be detected in these species.

Release of Rehabilitated Animals Alternatives

- Support for the alternative to modify and implement the release criteria.
- Agree with “All animals released” alternative if release criteria are adopted as is or with minimal changes. However, there may be exceptions when a rehabilitated animal is not authorized for release to ensure protection of the environment.

Disentanglement Alternatives

- Support for the alternative to implement the disentanglement guidelines and training requirements for network participants.

Biomonitoring and Research Activities Alternatives

- Support for the alternative to issue a new permit with current and new (foreseeable) projects.

MMHSRP Activities

- Support for the current activities under the MMHSRP.
- Support for the John H. Prescott Marine Mammal Rescue Assistance Grant Program.
- More collaboration is needed between researchers and those working with stranded animals.
- Database of stranding response personnel and their experience would be valuable.
- MMHSRP should focus on the protection of wild populations and not on the recovery of single live animals that strand.
- Suggest the establishment of a central MMHSRP diagnostic laboratory and sample bank to alleviate costs to individual centers and provide central data bank for research.
- Recommend establishing two disentanglement training facilities (one in Provincetown, Massachusetts and one on the West Coast) that are accredited to teach the protocols of the disentanglement network.
- Support for a National Disentanglement Coordinator.
- Need for more trained disentanglement responders with proper gear.
- Photo documentation of all strandings should be encouraged and guidelines should be established for photo and video documentation to facilitate future analysis.
- Responders collecting Level A stranding data should be properly trained in the collection of the data, the importance of the data, and how it will be used by investigators.
- Level A data forms should incorporate morphological data. May be appropriate to have different forms for cetaceans and pinnipeds.
- Training for response to unusual mortality events (UMEs) needs to be offered to all network participants. Network participants should be kept apprised of UMEs in their region and nationwide.

Biological Resources

- The potential for unintended effects from release of rehabilitated animals that can impact wild populations should be considered.
- Personnel should be trained in animal transport mechanisms to reduce possible animal injuries.
- Toxicity of chemically euthanized carcasses left on beaches may impact scavengers.

Coastal Zone Management

- Personnel need to know the rules/policies for responding on private land, Federal land, etc.
- A consistency determination must be made for federal activities affecting Virginia's coastal resources or uses.

Human Health and Safety

- Personnel should be trained in physical environment they will be working in and informed about the risk of injuries.
- Euthanasia solution can be dangerous to personnel. Need to find less toxic solution to use.
- Without the MMHSRP, the general public would likely take matters into their own hands in regards to stranded animals. Human health and safety would be at a grave risk without the MMHSRP.

Public Outreach and Education

- Public education about stranded animals is not well supported in present national priorities. This would help reduce the interaction between humans and stranded animals.
- Funding should be available to stranding network participants to have an educational program.

Treaty Rights

- The Makah Tribe has the right to stranded animals within their reservation boundaries and their Usual and Accustomed areas.
- Scientific practices and tribal cultural activities on stranded animals can occur at the same time.

3.2 Interim Policies and Best Practices Comments

The following is a summary of the types of comments received on the interim Policies and Best Practices documents during the scoping process:

General

- Support for national standards and guidelines for the MMHSRP.
- Support for issuance of policies and best practices if they are flexible to account for species differences and the pressures and conflicts unique to each region.

- Policies and practices only address release.
- Suggest establishing public viewing guidelines that protect animals and visitors.
- The premier criteria for standards should be the health and welfare of wild populations.
- Policies seem redundant to requirements instituted by the US Department of Agriculture for display of marine mammals and Institutional Animal Care and Use Committees requirements. These references could be directly cited to stress where NMFS policies may differ or compliment the requirements.
- It is unclear how the documents work together and the legal status of the documents is unclear.
- How will NMFS enforce these policies?
- Documents must be available to stranding network participants prior to signing SAs.
- If stranding network participants will be held to strict reporting time frames, NMFS' should agree to do the same.
- Needs to be a balance so that participating in the stranding program is not overly burdensome to institutions. The guidelines being reviewed as part of the EIS process fail to achieve a good balance.

Interim SA Template

- Agree with conditions described in the template.
- Concern with Section C, Participant Responsibilities that states that the Participants shall bear any and all expenses they incur from activities under the SA. Alaska stranding network participants have been provided funding from the NMFS regional office. This practice should continue and Alaska should not be aligned with logistics available in other regions.
- If the SA is terminated, is there a length of time before the entity can reapply?

Interim Minimum Eligibility Criteria for an SA

- It is important to recognize the different roles required for response, rehabilitation, and release activities.
- Consideration of requiring letters of recommendation for new and renewing SA applicants.
- The proposed qualifications should be implemented as written.
- There should be an appeals procedure for those entities denied an SA.

Interim Rehabilitation Facility Standards

- Rehabilitation Facility Standards should be minimum standards.
- Providing a designated quarantine building is not feasible.
- Cost of administering bimonthly diagnostic tests on animals is financially prohibitive and staff is not available to administer tests.
- Standards are standards, the minimal should be removed.

Interim Standards for the Release of Rehabilitated Marine Mammals

- Standards do not address immediate release from the beach, or relocation and release without entering a rehabilitation facility.
- More emphasis should be placed on post-release monitoring.
- Standards are acceptable as written.

Interim Disentanglement Guidelines

- Support for national disentanglement protocols with respect to safety, documentation, reporting, and operations. Some protocols would need to be flexible to tailor them to specific circumstances and variable conditions.
- National standards for the disentanglement network should require that participation and advancement at all levels is founded on experience and training.
- Standards are acceptable as written.
- The Provincetown Center for Coastal Studies gear and techniques are not necessarily applicable in all regions.
- Clarify why NMFS is liable for injuries or fatalities during disentanglement.
- Needs to be a process in place for organizational growth and training opportunities need to be offered on a regular basis.
- Divers should be seriously considered in the official protocol for the disentanglement network. The protocol should limit diving to disentangle a whale only to those personnel who are trained and certified divers.

4. Conclusion

NMFS has completed the formal public scoping process for the MMHSRP EIS. The agency will consider the comments received, individually and cumulatively, and will address those comments in the EIS, to the extent required. Comments received on the interim Policies and Best Practices documents will be reviewed and considered during the revision process. Scoping is an iterative

process and NMFS will continue to consider all relevant input received throughout the development of the EIS.

APPENDIX A

FEDERAL REGISTER NOTICE OF INTENT

DECEMBER 28, 2005

scope of this order. These include stainless steel strip in coils used in the production of textile cutting tools (e.g., carpet knives).⁵ This steel is similar to American Iron and Steel Institute (AISI) grade 420 but containing, by weight, 0.5 to 0.7 percent of molybdenum. The steel also contains, by weight, carbon of between 1.0 and 1.1 percent, sulfur of 0.020 percent or less, and includes between 0.20 and 0.30 percent copper and between 0.20 and 0.50 percent cobalt. This steel is sold under proprietary names such as "GIN4 Mo."⁶ The second excluded stainless steel strip in coils is similar to AISI 420-J2 and contains, by weight, carbon of between 0.62 and 0.70 percent, silicon of between 0.20 and 0.50 percent, manganese of between 0.45 and 0.80 percent, phosphorus of no more than 0.025 percent and sulfur of no more than 0.020 percent. This steel has a carbide density on average of 100 carbide particles per 100 square microns. An example of this product is "GIN5"⁷ steel. The third specialty steel has a chemical composition similar to AISI 420 F, with carbon of between 0.37 and 0.43 percent, molybdenum of between 1.15 and 1.35 percent, but lower manganese of between 0.20 and 0.80 percent, phosphorus of no more than 0.025 percent, silicon of between 0.20 and 0.50 percent, and sulfur of no more than 0.020 percent. This product is supplied with a hardness of more than Hv 500 guaranteed after customer processing, and is supplied as, for example, "GIN6."⁸

Rescission of Review

The applicable regulation, 19 CFR 351.213(d)(1), states that if a party that requested an administrative review withdraws the request within 90 days of the publication of the notice of the initiation of the requested review, the Secretary will rescind the review. It further states that the Secretary may extend this time limit if the Secretary finds it reasonable to do so. As noted above, three of the five petitioners that requested this review timely withdrew their request for review. On December 1, 2005, the Department informed counsel to petitioners that the instant review cannot be rescinded unless all five petitioners withdraw their request. See Memorandum to the File from Richard O. Weible, Office Director, Regarding

⁵ This list of uses is illustrative and provided for descriptive purposes only.

⁶ "GIN4 Mo" is the proprietary grade of Hitachi Metals America, Ltd.

⁷ "GIN5" is the proprietary grade of Hitachi Metals America, Ltd.

⁸ "GIN6" is the proprietary grade of Hitachi Metals America, Ltd.

"Phone Conversation with David Hartquist," dated December 6, 2005. By December 6, 2005, one week after the 90-day deadline, all five petitioners (Allegheny Ludlum Corporation, North American Stainless, United Auto Workers Local 3303, Zanesville Armco Independent Organization, Inc., and the United Steelworkers), withdrew their request for review.

The Department finds it reasonable to extend the time limit by which a party may withdraw its request for review in the instant proceeding. The Department has not yet devoted considerable time and resources to this review, all five petitioners have withdrawn their request, and no other party requested the review. Therefore, we are rescinding this review of the antidumping duty order on SSSS in coils from Italy covering the period July 1, 2004, through June 30, 2005. The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection within 15 days of publication of this notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's assumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.

Notification of Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return on destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversation to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation that is subject to sanction.

This notice is issued and published in accordance with sections 751 and 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: December 21, 2005.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E5-7984 Filed 12-27-05; 8:45 am]

BILLING CODE 3510-05-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120805B]

Notice of Intent to Conduct Public Scoping Meetings and Prepare an Environmental Impact Statement on the Activities of the National Marine Mammal Health and Stranding Response Program

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Intent to prepare environmental impact statement; request for comments.

SUMMARY: The National Marine Fisheries Service (NMFS) announces its intent to prepare an Environmental Impact Statement (EIS) to analyze the environmental impacts of the national administration of the Marine Mammal Health and Stranding Response Program (MMHSRP).

Publication of this notice begins the official scoping process that will help identify alternatives and determine the scope of environmental issues to be addressed in the EIS. This notice requests public participation in the scoping process, provides information on how to participate, and identifies a set of preliminary alternatives to serve as a starting point for discussions.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for specific dates, times, and locations of public scoping meetings for this issue.

FOR FURTHER INFORMATION CONTACT: All comments, written statements and questions regarding the scoping process, NEPA process, and preparation of the EIS must be postmarked by February 28, 2006, and should be mailed to: P. Michael Payne, Chief, Marine Mammal and Sea Turtle Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13635, Silver Spring, MD 20910-3226, Fax: 301-427-2584 ATTN: MMHSRP EIS or e-mail at mmhsrpeis.comments@noaa.gov with the subject line MMHSRP EIS.

SUPPLEMENTARY INFORMATION:

Background

NMFS proposes to continue to coordinate and operate the National Marine Mammal Health and Stranding Response Program (MMHSRP) for response to stranded marine mammals and research into questions related to marine mammal health, including causes and trends in marine mammal health and the causes of strandings, pursuant to Title IV of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1421). Title IV of the MMPA established the MMHSRP under NMFS. The mandated goals and purposes for the program are to: (1) facilitate the collection and dissemination of reference data on the health of marine mammals and health trends of marine mammal populations in the wild; (2) correlate the health of marine mammals and marine mammal populations, in the wild, with available data on physical, chemical, and biological environmental parameters; and (3) coordinate effective responses to unusual mortality events by establishing a process in the Department of Commerce in accordance with section 404.

To meet the goals of the MMPA, the MMHSRP carries out several important activities, including the National Marine Mammal Stranding Network, the John H. Prescott Marine Mammal Rescue Assistance Grant Program, the Marine Mammal Disentanglement Program, the Marine Mammal Unusual Mortality Event and Emergency Response Program, the Marine Mammal Biomonitoring Program, the Marine Mammal Tissue and Serum Bank Program, the Marine Mammal Analytical Quality Assurance Program, the MMHSRP Information Management Program, and the facilitation of several regional health assessment programs on wild marine mammals.

A marine mammal is defined as "stranded" under the MMPA if it is dead and on the beach or shore or floating in waters under US jurisdiction, or alive and on the beach and unable to return to the water, in need of medical assistance, or out of its natural habitat and unable to return to its natural habitat without assistance. NMFS is currently developing and plans to issue national protocols that will help standardize the stranding network across the country while maintaining regional flexibility. These protocols are proposed to be issued in one consolidated manual, titled *Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release* (Policies and Practices). This document is currently released on an interim basis, and will be available on

our website after January 9, 2006, at: <http://www.nmfs.noaa.gov/pr/health/> for reference and review. The future development of these policies may involve issuance of regulations, but none are currently proposed.

Individuals, groups and organizations throughout the country have been responding to stranded marine mammals for decades. After the passage of Title IV, NMFS codified the roles and responsibilities of participant organizations in the National Marine Mammal Stranding Network through a Letter of Agreement (LOA) or Stranding Agreement (SA), issued under MMPA section 112(c). By issuing SAs, NMFS allows stranding network response organizations, acting as 'agents' of the government, an exemption to the prohibition on "takes" of marine mammals established under the MMPA. Federal, state and local government officials already have an exemption to the take prohibition under section 109(h) of the MMPA, which allows the taking of marine mammals (not listed as threatened or endangered) during the course of official duties, provided such taking is for the protection or welfare of the mammal, for public health, or for the nonlethal removal of nuisance animals. SAs (as conceived) extend the same exemption to organizations and individuals that are outside of the government.

Stranding Agreements are issued by NMFS Regional Administrators, and in the past a high level of variability has occurred between regions. A standardized national template for the format of the SA has been developed, including sections that may be customized by each region in order to maintain flexibility. This SA template has been subject to public comment on several occasions after publication on NMFS' public website and distribution to interested parties (most recently on Nov. 8, 2004). NMFS has also developed a list of minimum criteria for organizations wishing to obtain a SA and participate in the stranding network, and these have also been distributed for public comment. These criteria differ based on the level of involvement of the participant (response only; response and transport; rehabilitation, etc.). Substantive comments received on these documents have been either incorporated or responded to, if the authors chose not to incorporate them. The LOA Template and Minimum Eligibility Criteria are the first two elements of the "Policies and Practices" manual.

While the MMPA provides an exception to the take prohibition for the health and welfare of stranded marine

mammals, no similar exemption is contained in the Endangered Species Act (ESA). Not all, but many, species of marine mammals are listed as threatened or endangered under the ESA, and are therefore protected by both laws. Therefore, the MMHSRP has obtained a permit from the Permits, Conservation and Education Division of the NMFS Office of Protected Resources, issued under the MMPA and section 10(a)(1)(A) of the ESA, to provide the necessary exemption to the take prohibition where the stranded animal in question is listed under the ESA, or when response to a stranded animal would or could incidentally harass a listed species. The permit covers stranding and emergency response activities, including for example, disentanglement, hazing, close approaches, and humane euthanasia. Captures of wild (presumably healthy) animals are also permitted to conduct health assessment studies, where such activities are part of an investigation into a morbidity or mortality issue in the wild population, but this is a rare occurrence (not routine procedure). Stranding network responders are listed as co-investigators under this permit. The permit also authorizes a variety of research projects utilizing stranded animals, tissue samples, and marine mammal parts for investigations into die-offs and other questions regarding marine mammal health and stranding. The current permit issued to the MMHSRP will expire on June 30, 2007, and a NEPA analysis of the activities covered under the permit must be completed prior to the issuance of a new permit. This EIS will serve as the NEPA analysis of these permitted activities.

Marine mammals that are undergoing rehabilitation, and the facilities that are conducting rehabilitation activities, are not subject to inspection or review by the Animal and Plant Health Inspection Service (APHIS) under the United States Department of Agriculture, provided that they are not also a public display facility (separate from their rehabilitation activities) or a research facility. These facilities are therefore not subject to APHIS minimum requirements for facilities, husbandry, or veterinary standards. NMFS has developed minimum standards for marine mammal rehabilitation facilities that will be required of all facilities operating under a SA with NMFS, and the interim rehabilitation facility standards document is the third element of the Policies and Practices manual.

Section 402 (a) of the MMPA charges NMFS with providing "guidance for determining at what point a rehabilitated marine mammal is

releasable to the wild." Interim standards for release of rehabilitated marine mammals have been developed by NMFS and the US Fish and Wildlife Service in consultation with marine mammal experts through review and public comments, including publication in the **Federal Register** on April 8, 1998 (63 FR 17156). Three panels of experts were also assembled in 2001 to provide individual recommendations, which have been incorporated into the current interim document. These guidelines provide an evaluative process for the veterinarians and animal husbandry staff at rehabilitation facilities to use in determining if a stranded marine mammal is suitable for release to the wild, and under what conditions such a release should occur. The interim standards are provided in the Policies and Practices manual.

Purpose and Scope of the Action

NMFS will prepare an EIS to evaluate the cumulative impacts of the activities of the MMHSRP, including the issuance of a final Policies and Procedures manual and a new MMPA/ESA permit for the program. This EIS will assess the likely environmental effects of marine mammal health and stranding response under a range of alternatives characterized by different methods, mitigation measures, and level of response. In addition, the EIS will identify potentially significant direct, indirect, and cumulative impacts on geology and soils, air quality, water quality, other fish and wildlife species and their habitat, vegetation, socioeconomics and tourism, treaty rights and Federal trust responsibilities, environmental justice, cultural resources, noise, aesthetics, transportation, public services, and human health and safety, and other environmental issues that could occur with the implementation of the proposed action. For all potentially significant impacts, the EIS will identify avoidance, minimization and mitigation measures to reduce these impacts, where feasible, to a level below significance.

Major environmental concerns that will be addressed in the EIS include: NMFS' information needs for the conservation of marine mammals; the types and levels of stranding response and rehabilitation activities, including level of effort; and the cumulative impacts of MMHSRP activities on marine mammals and the environment. Comments and suggestions are invited from all interested parties to ensure that the full range of issues related to the MMHSRP and its activities are identified. NMFS is therefore seeking

public comments especially in the following areas:

(1) *Types of activities.* What sort of activities in response to stranded marine mammals or outbreaks of disease in marine mammals should be conducted on a national level? Are there critical research needs that may be met by stranding investigations, rehabilitation, biomonitoring, disentanglement, and other health-related research activities? If so, are these needs currently being met? If there are additional needs, what are they, how are they likely to benefit the marine mammal species, and how should they best be met?

(2) *Level of response effort.* For example, should there be different standards or levels of effort for different species or groups of species (i.e. pinnipeds vs. cetaceans; threatened or endangered species vs. increasing populations, etc.)? How should NMFS set these standards or limits?

(3) *Organization and qualifications.* How should the national stranding network be organized at the local, state, regional, eco-system, and national levels? How should health assessment research be coordinated or organized nationally? What should the minimum qualifications of an individual or organization be prior to becoming an SA holder or researcher (utilizing samples from stranded animals) to ensure that animals are treated successfully, humanely, and with the minimum of adverse impacts?

(4) *Effects of activities.* NMFS will be assessing possible effects of the activities conducted by, for, and under the authorization of the MMHSRP using all appropriate available information. Anyone having relevant information they believe NMFS should consider in its analysis should provide a complete citation or reference for retrieving the information. We seek public input on the scope of the required NEPA analysis, including the range of reasonable alternatives; associated impacts of any alternatives on the human environment, including geology and soils, air quality, water quality, other fish and wildlife species and their habitat, vegetation, socioeconomics and tourism, treaty rights and Federal trust responsibilities, environmental justice, cultural resources, noise, aesthetics, transportation, public services, and human health and safety, and suitable mitigation measures. We ask that comments be as specific as possible.

Alternatives

NMFS has identified several preliminary alternatives for public comment during the scoping period and encourage information on additional

alternatives to consider. Alternative 1, the Proposed Action Alternative, would result in the publication of the Practices and Protocols Handbook and the establishment of required minimum standards for the national marine mammal stranding and disentanglement networks. The MMHSRP permit would also be issued under this alternative to permit response activities for endangered species, disentanglement activities, biomonitoring projects, other research projects conducted by or in cooperation with the program, and import and export of tissue and other diagnostic or research samples.

Alternative 2, the No Action Alternative, would continue the activities of the national stranding and disentanglement networks without issuance of the Policies and Practices. No new or renewal Stranding Agreements would be issued or extended, and the MMHSRP would not apply for or receive a new permit. As Stranding Agreements with organizations expired, the network would cease to function. The No Action Alternative is required to be included for consideration by CEQ regulations.

Alternative 3 is considered the Status Quo alternative and would allow for the continuation of the stranding and disentanglement networks currently in place in the country, and the Policies and Practices documents would not be issued. However, under the Status Quo alternative, Stranding Agreements could be renewed or extended (though not modified), such that the current level of response would continue. No new SAs would be issued to facilities that are not currently part of the national stranding network. This would preclude adaptive changes in the stranding network as organizations change priorities and wish to leave the network, or as new facilities are created and wish to become involved. The MMHSRP permit could be renewed or reissued as written, with no modifications. There could be no adaptive changes to the research protocols as new issues were raised or advances made in technology.

Other alternatives considered by NMFS may be eliminated from detailed study because they would limit or prohibit activities necessary for the conservation of the species by NMFS. The other alternatives that have been considered but may be eliminated from further study are: (1) An alternative that allows for biomonitoring activities only (tissue sampling and study of animals caught during targeted health assessment projects, subsistence hunts, and as incidental bycatch in fishery activities only); (2) an alternative that allows for a stranding response only (no

rehabilitation activities; response to live animals would be limited to euthanasia or release; no disentanglement or health assessment activities;); (3) an alternative that allows for response and rehabilitation for cetaceans only; and (4) an alternative that allows for response and rehabilitation for ESA-listed marine mammals only. The elimination of any of these activities would impede data collection regarding strandings and the health of marine mammals that is necessary for NMFS conservation and recovery efforts for many species.

In addition to the alternatives listed above, NMFS will also utilize the scoping process to identify other alternatives for consideration. It should be noted that although several of the listed alternatives would not allow for the mandated activities listed in the MMPA, under 40 CFR 1506.2(d), reasonable alternatives cannot be excluded strictly because they are inconsistent with Federal or state laws, but must still be evaluated in the EIS.

For additional information about the MMHSRP, the national stranding network, and related information, please visit our website at <http://www.nmfs.noaa.gov/pr/health/>.

Public Involvement and Scoping Meetings Agenda

Public scoping meetings will be held at the following dates, times, and locations:

1. Tuesday, January 24, 2006, 7 – 10 p.m., Santa Barbara Natural History Museum, 2559 Puesta del Sol, Santa Barbara, CA;
2. Wednesday, January 25, 2006, 2 – 5 p.m.; Bay Conservation and Development Commission, 50 California Street, Suite 2600, San Francisco, CA;
3. Friday, January 27, 2006, 3 – 6 p.m., Hawaiian Islands Humpback Whale National Marine Sanctuary O'ahu Office, 6600 Kalaniana'ole Highway, Honolulu, HI;
4. Monday, January 30, 2006, 2 – 5 p.m., NMFS Northwest Regional Office, Building 9, 7600 Sand Point Way NE, Seattle, WA;
5. Wednesday, February 1, 2006, 2 – 5 p.m., U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK;
6. Tuesday, February 7, 2006, 5 – 8 p.m., NMFS Southeast Regional Office, 263 13th Avenue, South, St. Petersburg, FL;
7. Monday, February 13, 2006, 5 – 8 p.m., New England Aquarium, Conference Center, Central Wharf, Boston, MA;
8. Friday, February 17, 2006, 2 – 5 p.m., Silver Spring Metro Center, Building 4, Science Center, 1301 East-West Highway, Silver Spring, MD.

Comments will be accepted at these meetings as well as during the scoping period, and can be mailed to NMFS by February 28, 2006 (see **FOR FURTHER INFORMATION CONTACT**).

We will consider all comments received during the comment period. All hardcopy submissions must be unbound, on paper no larger than 8 1/2 by 11 inches (216 by 279 mm), and suitable for copying and electronic scanning. We request that you include in your comments:

- (1) Your name and address;
- (2) Whether or not you would like to receive a copy of the Draft EIS (please specify electronic or paper format of the Draft EIS); and
- (3) Any background documents to support your comments as you feel necessary.

All comments and material received, including names and addresses, will become part of the administrative record and may be released to the public.

Special Accommodations

These meetings are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Sarah Howlett or Sarah Wilkin, 301–713–2322 (voice) or 301–427–2522 (fax), at least 5 days before the scheduled meeting date.

P. Michael Payne,

Chief, Marine Mammal and Sea Turtle Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E5–7990 Filed 12–27–05; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 122005C]

Notice of Intent to Prepare an Environmental Impact Statement on Impacts of Research on Steller Sea Lions and Northern Fur Seals Throughout Their Range in the United States

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of Intent to prepare environmental impact statement.

SUMMARY: The National Marine Fisheries Service (NMFS) announces its intent to prepare an Environmental Impact Statement (EIS) to analyze the environmental impacts of administering grants and issuing permits associated

with research on endangered and threatened Steller sea lions (*Eumetopias jubatus*) and depleted northern fur seals (*Callorhinus ursinus*). Publication of this notice begins the official scoping process that will help identify alternatives and determine the scope of environmental issues to be addressed in the EIS. This notice requests public participation in the scoping process and provides information on how to participate.

The purpose of conducting research on threatened and endangered Steller sea lions is to promote the recovery of the species' populations such that the protections of the Endangered Species Act (ESA; 16 U.S.C. 1531 *et seq.*) are no longer needed. Consistent with the purpose of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1361 *et seq.*), the purpose of conducting research on northern fur seals is to contribute to the basic knowledge of marine mammal biology or ecology and to identify, evaluate, or resolve conservation problems for this depleted species.

Research on Steller sea lions and northern fur seals considered in this EIS is funded and permitted by NMFS, which are both federal actions requiring National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*) compliance. The need for these actions is to facilitate research to: (1) Prevent harm and avoid jeopardy or disadvantage to the species; (2) promote recovery; (3) identify factors limiting the population; (4) identify reasonable actions to minimize impacts of human-induced activities; (5) implement conservation and management measures; and (6) make data and results available in a timely manner for management of the species. As part of this action, NMFS is developing measures that will improve efficiency and avoid unnecessary redundancy in Steller sea lion and northern fur seal research, utilize best management practices, facilitate adaptive management, and standardize research protocols.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for specific dates, times, and locations of public scoping meetings for this issue.

FOR FURTHER INFORMATION CONTACT: Written statements and questions regarding the scoping process must be postmarked by February 13, 2006, and should be mailed to: Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910–3226,

APPENDIX B

INFORMATIONAL FACT SHEETS FROM

PUBLIC SCOPING MEETINGS

• NEPA/EIS FACT SHEET •

The Environmental Impact Statement (EIS) will be prepared in accordance with the National Environmental Policy Act (NEPA) of 1969.

What is NEPA?

The purposes of NEPA are to:

- Encourage harmony between man and the environment;
- Promote efforts to prevent or eliminate environmental damage; and
- Enrich man's understanding of important ecological systems and natural resources.

NEPA requires that the National Marine Fisheries Service (NMFS):

- Consider the potential consequences of its decisions (major federal actions) on the human environment before deciding to proceed; and
- Provide opportunities for public involvement, which include: participating in scoping, reviewing the Draft and Final EIS, and attending public meetings.

NEPA does not dictate the decision to be made by NMFS, but informs the decision-making process.

What is an EIS?

An EIS evaluates the actions that a federal agency plans to undertake with respect to the potential impacts of these actions on the human environment. The purpose of this EIS is to objectively analyze and evaluate the potential impacts on environmental resources from activities conducted under the Marine Mammal Health and Stranding Response Program (MMHSRP).

The EIS will include descriptions of the:

- Proposed Action
- Purpose and need for the Proposed Action
- Alternatives to the Proposed Action
- Affected environment
- Environmental consequences of the Proposed Action and alternatives
- Required mitigation or recommended best management practices (BMPs)

What environmental resources are normally considered during an EIS?

- | | |
|--|---|
| <ul style="list-style-type: none"> • Fish and Wildlife <ul style="list-style-type: none"> – Protected Species <ul style="list-style-type: none"> > Threatened and Endangered Species > Marine Mammals > Migratory Birds – Non-protected Species • Protected and Sensitive Habitats <ul style="list-style-type: none"> – National Marine Sanctuaries – Essential Fish Habitat – Designated Critical Habitat – Vegetation • Coastal Zone Management • Geology and Soils | <ul style="list-style-type: none"> • Air Quality • Water Quality • Noise • Aesthetics • Human Health and Safety • Socioeconomics and Tourism • Public Services • Cultural Resources • Environmental Justice • Treaty Rights • Federal Trust Responsibilities • Cumulative Impacts |
|--|---|



Photo by NOAA Fisheries

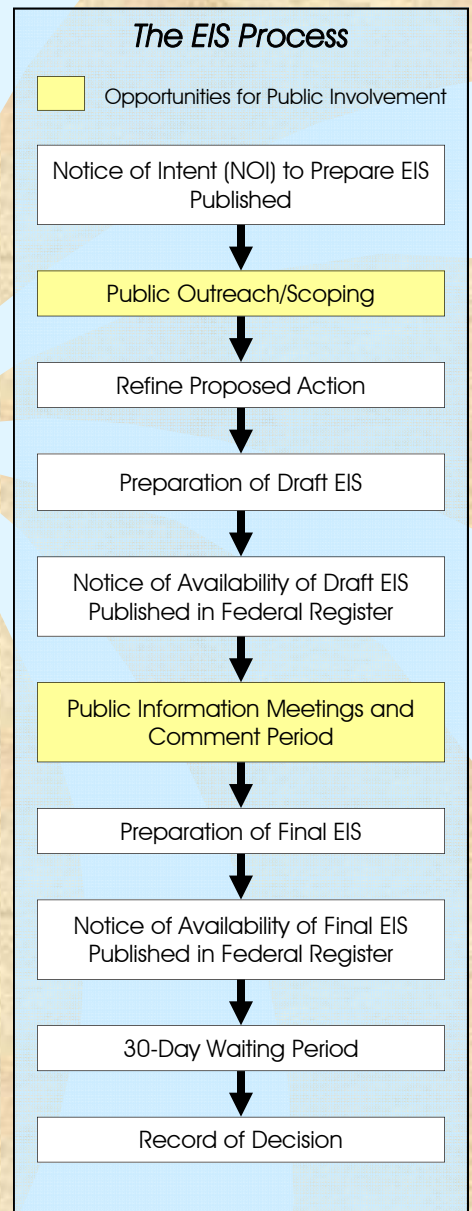


Photo by Provincetown Center for Coastal Studies



PUBLIC INPUT

NMFS needs your participation in scoping for the EIS.

What is Scoping?

Scoping is defined as an "early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action." NEPA requires that NMFS include scoping as part of the EIS process. For our scoping, we have chosen a combination of public meetings around the country and repositories of the information - both virtual (on our website) and real (in a library in each city where a scoping meeting is held).



Photo by NMFS NWR

Your involvement and input are essential to the EIS process. Many opportunities exist to be involved in the EIS on the activities of the National Marine Mammal Health and Stranding Response Program (MMHSRP):

- Participate in a scoping meeting
- Identify specific issues
- Submit comments
- Sign up for the mailing list
- Review and comment on the Draft EIS
- Participate in a public hearing
- Review the Final EIS

NMFS is seeking public comments on all issues relating to the MMHSRP, including the following specific questions:

- What sort of activities should be conducted on a local, regional and national level in response to stranded, entangled, sick, injured, and other marine mammals in distress?
- Are there critical research or management needs that may be met by stranding investigations, rehabilitation, disentanglement or health-related research and biomonitoring - activities? Are these needs currently being met? If not, what are they, how are they likely to benefit the marine mammal species, and what should be done to meet them?
- Should there be different standards or levels of MMHSRP effort for different species or groups of species (i.e. pinnipeds vs. cetaceans; threatened or endangered species vs. increasing populations, etc.)? If so, how should NMFS set these standards or priorities?
- Is the current organization of the national stranding and health assessment networks at the local, state, regional, ecosystem, and national levels adequate to meet the necessary management and research needs for conservation? If not, what changes should be implemented to make the organization more effective?
- What should be the minimum qualifications of an individual or organization prior to becoming a Stranding Agreement holder to ensure that animals are treated appropriately, humanely, and with the minimum of adverse impacts?
- Are public and animal health and safety needs adequately addressed in the current organization and operations of the MMHSRP?
- Are there any other relevant issues or data NMFS should consider in its analysis of activities conducted by, for, and under the authorization of the MMHSRP? If so, please provide if or a reference for it.



Photo by Lynne Barre, NMFS NWR

Information Repository Sites:

Santa Barbara Public Library 40 East Anapamu Street Santa Barbara, CA 93101	San Francisco Public Library 100 Larkin Street San Francisco, CA 94102
Hawaii State Library 478 South King Street Honolulu, HI 96813	Seattle Public Library 1000 4th Avenue Seattle, WA 98104
Z.J. Loussac Public Library 3600 Denali Street Anchorage, AK 99503	St. Petersburg Public Library 3745 9th Avenue North St. Petersburg, FL 33713
Boston Public Library 700 Boylston Street Boston, MA 02116	NOAA Central Library 1315 East-West Highway 2nd Floor, SSMC3 Silver Spring, MD 20910

Contacts:

Sarah Howlett or Sarah Wilkin
Marine Mammal and Sea Turtle Division
Office of Protected Resources
NMFS 1315 East-West Highway
Silver Spring, MD 20910-3226
Phone: 301-713-2322

**Address your comments by
February 28, 2006 to:**

P. Michael Payne, Chief
Marine Mammal and Sea Turtle Division
NMFS 1315 East-West Highway
Silver Spring, MD 20910-3226
mmhsrpeis.comments@noaa.gov
Fax: 301-427-2584

For More Information:

<http://www.nmfs.noaa.gov/pr/health/els.htm>

Scoping Meeting Dates and Locations:

PLACE	DATE
Santa Barbara, CA Natural History Museum 2559 Puesta del Sol	Tuesday January 24, 2006 7:00 to 10:00 pm
San Francisco, CA Bay Conservation and Development Commission 50 California Street, Suite 2600	Wednesday January 25, 2006 2:00 to 5:00 pm
Honolulu, HI Hawaiian Islands Humpback Whale National Marine Sanctuary O'ahu Office 6600 Kalaniana'ole Highway	Friday January 27, 2006 3:00 to 6:00 pm
Seattle, WA NMFS Northwest Regional Office Building 9 7600 Sand Point Way NE	Monday January 30, 2006 2:00 to 5:00 pm
Anchorage, AK U.S. Fish and Wildlife Service 1011 East Tudor Road	Wednesday February 1, 2006 2:00 to 5:00 pm
St. Petersburg, FL NMFS Southeast Regional Office 263 13th Avenue, South	Tuesday February 7, 2006 5:00 to 8:00 pm
Boston, MA New England Aquarium Conference Center Central Wharf	Monday February 13, 2006 5:00 to 8:00 pm
Silver Spring, MD Silver Spring Metro Center, Building 4, Science Center 1301 East-West Highway	Friday February 17, 2006 2:00 to 5:00 pm



MARINE MAMMAL HEALTH AND STRANDING RESPONSE PROGRAM

National Marine Mammal Stranding Network

The National Marine Mammal Stranding Network consists of volunteer stranding networks in all coastal states. These networks are authorized through Stranding Agreements with the National Marine Fisheries Service (NMFS) regional offices. Network member organizations respond to live and dead stranded marine mammals on the beach, take biological samples, transport animals, rehabilitate sick or injured marine mammals and potentially release them back to the wild. NMFS oversees, coordinates, and authorizes stranding network activities through one national and six regional stranding coordinators. NMFS also provides training to network members.

Marine Mammal Disentanglement Network



Photo courtesy Provincetown Center for Coastal Studies

The Disentanglement Network is a partnership between NMFS, the Provincetown Center for Coastal Studies, the U.S. Coast Guard, State agencies, National Marine Sanctuaries, and other entities. The Network is responsible for monitoring and documenting whales that have become entangled in gear as well as conducting rescue operations. The network established protocols for all aspects of response, including animal care and assessment, vessel and aircraft support, and media and public information. Multiple levels of training are required for animal welfare and human safety.

John H. Prescott Marine Mammal Rescue Assistance Grant Program

The Prescott Grant Program provides grants to eligible stranding network participants and researchers for:

- Recovery and treatment of stranded marine mammals;
- Data collection from living or dead stranded marine mammals; and
- Facility upgrades, operation costs, and staffing needs directly related to the recovery and treatment of stranded marine mammals and collection of data from living or dead stranded marine mammals.

Since the inception of the program in 2001, over \$16,000,000 has been disbursed in 187 grant awards. There is an annual competitive program as well as funding made available throughout the year for emergency response.

Marine Mammal Unusual Mortality Event and Emergency Response Program

The Working Group on Marine Mammal Unusual Mortality Events made up of federal and non-federal experts from a variety of biological and biomedical disciplines, including federal agency representatives, and two international participants from Canada and Mexico. The Working Group advises NMFS with regards to marine mammal Unusual Mortality Events (UMEs). The Program coordinates emergency response, investigations into causes of mortality and morbidity, evaluates the environmental factors associated with UMEs, provides training and resources as possible, and oversees the Marine Mammal Unusual Mortality Event Fund.



MMHSRP Information Management Program

The MMHSRP Information Management Program is responsible for the development and maintenance of a variety of databases, websites and other tools for disseminating information within the program, Network, and to the public. A major recent accomplishment was the rollout of a web-accessible national Level A database for reporting and sharing near-real time stranding data to all regions. The Marine Mammal Tissue Bank inventory will become web-accessible to the public in 2006. Data access policies are being developed to codify protocols for data accuracy, quality assurance, and public access to stranding network data.

Marine Mammal Health Biomonitoring, Research, Development and Banking Programs



Photo courtesy NIST

The MMHSRP coordinates national biomonitoring, research and banking efforts to analyze the health and contaminant trends of wild marine mammal populations. The program collects information to determine anthropogenic impacts on marine mammals, marine food chains, and marine ecosystems. In addition, the program uses information to analyze the contribution of environmental parameters to wild marine mammal health trends. Finally, the program operates the National Marine Mammal Tissue Bank, a joint effort with the National Institute of Standards and Technology, as a long-term repository of samples for future retrospective evaluations.



PROPOSED ACTION & ALTERNATIVES

Proposed Action

- Policies and Best Practices for Marine Mammal Stranding Response, Rehabilitation and Release (Policies and Practices) Manual would be issued, establishing required minimum standards for the national marine mammal stranding and disentanglement networks.
- MMHSRP permit would be issued to permit response activities for endangered species, entanglement activities, biomonitoring projects, and import and export of marine mammal tissue samples.
- Stranding Agreements (formerly LOAs) would continue to be issued or renewed on a case-by-case basis as necessary.



Photo courtesy Gulfworld Marine Park

Purpose and Need

Purpose: NMFS proposes to continue to coordinate and operate the National Marine Mammal Health and Stranding Response Program (MMHSRP) for response to stranded marine mammals and research into questions related to marine mammal health, including causes and trends in marine mammal health and the causes of strandings, pursuant to Title IV of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1421).

Need: To operate the MMHSRP effectively and efficiently, making the best use of available limited resources; to collect the necessary data on marine mammal health and health trends to meet information needs for appropriate conservation and management; and to ensure that human and animal health and safety is always a high priority.

Alternatives

No Action Alternative:

- Allow continuation of stranding and disentanglement networks currently in place.
- Stranding Agreements (SAs) would not be renewed and new SAs would not be issued.
- Policies and Practices Manual would not be issued.
- MMHSRP would not apply for or receive a new permit.
- As SAs with organizations expired, the national stranding network would cease to function.

Status Quo Alternative:

- Allow continuation of stranding and disentanglement networks currently in place.
- SAs could be renewed or extended, but not modified (current level of response would continue).
- Policies and Practices Manual would not be issued.
- No new Stranding Agreements would be issued to facilities not currently part of the national stranding network.
- MMHSRP permit could be renewed or reissued with no modifications.

Alternatives Considered That May Be Eliminated From Further Study



Photo courtesy The Marine Mammal Center

Biomonitoring Activities Only:

- Tissue sampling and the study of the health of animals caught during targeted health assessment projects, as incidental bycatch in fishery activities, and during subsistence hunting only

Stranding Response Only:

- No rehabilitation activities— response to live animals would be limited to euthanasia or release.
- No disentanglement or health assessment activities.

Response and Rehabilitation for Cetaceans Only

- No stranding response, rehabilitation, disentanglement, or health assessment activities would be conducted for pinnipeds (seals and sea lions).

Response and Rehabilitation for Threatened and Endangered Marine Mammals Only

- No stranding response, rehabilitation, disentanglement, or health assessment activities would be conducted for marine mammals not listed as threatened or endangered under the Endangered Species Act.



**The Marine Mammal Health and Stranding Response Program Scoping Report (March 2006), Appendix C- Public Comments, has been removed to reduce the size of the appendices. A summary of the comments can be found in the Scoping Report. The entire Scoping Report can be found at the following website:
http://www.nmfs.noaa.gov/pr/pdfs/health/eis_appendix_d.pdf**

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APPENDIX E

BIOLOGICAL RESOURCES TABLES

Table E-1. Protected and Sensitive Habitats on the U.S. Atlantic Coast

Protected and Sensitive Habitat	Type	State/ Territory
Acadia National Park	NP	ME
Alligator River National Wildlife Refuge	NWR	NC
Anagansett National Wildlife Refuge	NWR	NY
Archie Carr National Wildlife Refuge	NWR	FL
Ashepoo Combahee Edisto Basin National Estuarine Research Reserve	NERR	SC
Assateague Island National Seashore	NS	MD-VA
Back Bay National Wildlife Refuge	NWR	VA
Biscayne National Park	NP	FL
Blackbeard Island National Wildlife Refuge	NWR	GA
Blackbeard Island Wilderness	W	GA
Blackwater National Wildlife Refuge	NWR	MD
Block Island National Wildlife Refuge	NWR	RI
Bombay Hook National Wildlife Refuge	NWR	DE
Brigantine Wilderness	W	NJ
Buck Island Reef National Wildlife Refuge	NWR	VI
Cabo Rojo National Wildlife Refuge	NWR	PR
Canaveral National Seashore	NS	FL
Cape Cod Bay Northern Right Whale Critical Habitat	CH	MA
Cape Cod National Seashore	NS	MA
Cape Hatteras National Seashore	NS	NC
Cape Lookout National Seashore	NS	NC
Cape May National Wildlife Refuge	NWR	NJ
Cape Romain National Wildlife Refuge	NWR	SC
Cape Romain Wilderness	W	SC
Cedar Island National Wildlife Refuge	NWR	NC
Chesapeake Bay (MD) National Estuarine Research Reserve	NERR	MD
Chesapeake Bay (VA) National Estuarine Research Reserve	NERR	VA
Chincoteague National Wildlife Refuge	NWR	VA
Conscience Point National Wildlife Refuge	NWR	NY
Crocodile Lake National Wildlife Refuge	NWR	FL
Cross Island National Wildlife Refuge	NWR	ME
Culebra National Wildlife Refuge	NWR	PR
Cumberland Island National Seashore	NS	GA
Cumberland Island Wilderness	W	GA
Currituck National Wildlife Refuge	NWR	NC
Delaware National Estuarine Research Reserve	NERR	DE
Desecheo National Wildlife Refuge	NWR	PR
Dry Tortugas National Park	NP	FL

Table E-1. Protected and Sensitive Habitats on the U.S. Atlantic Coast (continued)

Protected and Sensitive Habitat	Type	State/ Territory
E.A. Morton National Wildlife Refuge	NWR	NY
E.B. Forsythe National Wildlife Refuge	NWR	NJ
Eastern Shore Virginia National Wildlife Refuge	NWR	VA
Everglades National Park	NP	FL
Fire Island National Seashore	NS	NY
Fisherman Island National Wildlife Refuge	NWR	VA
Florida Keys National Marine Sanctuary	NMS	FL
Florida Keys Wilderness	W	FL
Franklin Island National Wildlife Refuge	NWR	ME
Gray's Reef National Marine Sanctuary	NMS	GA
Great Bay National Estuarine Research Reserve	NERR	ME
Great Bay National Wildlife Refuge	NWR	NH
Great South Channel Northern Right Whale Critical Habitat	CH	MA
Great White Heron National Wildlife Refuge	NWR	FL
Green Cay National Wildlife Refuge	NWR	VI
Green Sea Turtle Critical Habitat	CH	PR
Guana Tolomato Matanzas National Estuarine Research Reserve	NERR	FL
Harris Neck National Wildlife Refuge	NWR	GA
Hawksbill Sea Turtle Critical Habitat	CH	PR
Hobe Sound National Wildlife Refuge	NWR	FL
Hudson River National Estuarine Research Reserve	NERR	NY
J. H. Chafee National Wildlife Refuge	NWR	RI
Jacques Cousteau National Estuarine Research Reserve	NERR	NJ
Johnson's Seagrass Critical Habitat	CH	FL
Key West National Wildlife Refuge	NWR	FL
Leatherback Sea Turtle Critical Habitat	CH	VI
Mackay Island National Wildlife Refuge	NWR	VA
Mackay Island National Wildlife Refuge	NWR	NC
Marjory Stoneman Douglas Wilderness	W	FL
Martin National Wildlife Refuge	NWR	MD
Mashpee National Wildlife Refuge	NWR	MA
Merritt Island National Wildlife Refuge	NWR	FL
Monitor National Marine Sanctuary	NMS	NC
Monomoy National Wildlife Refuge	NWR	MA
Monomoy Wilderness	W	MA
Moosehorn National Wildlife Refuge	NWR	ME
Nantucket National Wildlife Refuge	NWR	MA
Narragansett Bay National Estuarine Research Reserve	NERR	RI

Table E-1. Protected and Sensitive Habitats on the U.S. Atlantic Coast (continued)

Protected and Sensitive Habitat	Type	State/ Territory
Navassa Island National Wildlife Refuge	NWR	PR
Ninigret National Wildlife Refuge	NWR	RI
Nomans Land Island National Wildlife Refuge	NWR	MA
North Carolina National Estuarine Research Reserve	NERR	NC
North Inlet-Winyah Bay National Estuarine Research Reserve	NERR	SC
Oyster Bay National Wildlife Refuge	NWR	NY
Parker River National Wildlife Refuge	NWR	MA
Pea Island National Wildlife Refuge	NWR	NC
Pelican Island National Wildlife Refuge	NWR	FL
Pelican Island Wilderness	W	FL
Petit Manan National Wildlife Refuge	NWR	ME
Pinckney Island National Wildlife Refuge	NWR	SC
Piping Plover Critical Habitat	CH	NC-FL
Plum Tree Island National Wildlife Refuge	NWR	VA
Pond Island National Wildlife Refuge	NWR	ME
Prime Hook National Wildlife Refuge	NWR	DE
Rachel Carson National Wildlife Refuge	NWR	ME
S.B. McKinney National Wildlife Refuge	NWR	CT
Sachuest National Wildlife Refuge	NWR	RI
Salt River Bay National Historic Park and Ecological Preserve	Preserve	VI
Sandy Point National Wildlife Refuge	NWR	VI
Sapelo Island National Estuarine Research Reserve	NERR	GA
Savannah National Wildlife Refuge	NWR	SC
Seal Island National Wildlife Refuge	NWR	ME
Seatuck National Wildlife Refuge	NWR	NY
Southeastern Right Whale Critical Habitat	CH	GA-FL
Stellwagen Bank National Marine Sanctuary	NMS	MA
Swanquarter National Wildlife Refuge	NWR	NC
Swanquarter Wilderness	W	NC
Thatches National Wildlife Refuge	NWR	MA
Trustom Pond National Wildlife Refuge	NWR	RI
Tybee National Wildlife Refuge	NWR	SC
Vieques National Wildlife Refuge	NWR	PR
Virgin Islands National Park	NP	VI
Waccamaw National Wildlife Refuge	NWR	SC
Wallops Island National Wildlife Refuge	NWR	VA
Waquoit Bay National Estuarine Research Reserve	NERR	MA
Wassaw National Wildlife Refuge	NWR	GA

Table E-1. Protected and Sensitive Habitats on the U.S. Atlantic Coast (continued)

Protected and Sensitive Habitat	Type	State/ Territory
Wells National Estuarine Research Reserve	NERR	ME
Wertheim National Wildlife Refuge	NWR	NY
West Indian Manatee Critical Habitat	CH	FL
Wolf Island National Wildlife Refuge	NWR	GA
Wolf Island Wilderness	W	GA
Yellow-shouldered Blackbird Critical Habitat	CH	PR

Source: DOC/NOAA and DOI 2006, Wilderness.net 2006

Notes: CH – Critical Habitat

NERR – National Estuarine Research Reserve

NP – National Park

NS – National Seashore

NWR – National Wildlife Refuge

W – Wilderness

Table E-2. Protected and Sensitive Habitats in the Gulf of Mexico

Protected and Sensitive Habitat	Type	State
Anahuac National Wildlife Refuge	NWR	TX
Apalachicola National Estuarine Research Reserve	NERR	FL
Aransas National Wildlife Refuge	NWR	TX
Bayou Sauvage National Wildlife Refuge	NWR	LA
Big Boggy National Wildlife Refuge	NWR	TX
Big Branch Marsh National Wildlife Refuge	NWR	LA
Bon Secour National Wildlife Refuge	NWR	AL
Brazoria National Wildlife Refuge	NWR	TX
Breton National Wildlife Refuge	NWR	LA
Cedar Keys National Wildlife Refuge	NWR	FL
Cedar Keys Wilderness	W	FL
Chassahowitzka National Wildlife Refuge	NWR	FL
Chassahowitzka Wilderness	W	FL
Crystal River National Wildlife Refuge	NWR	FL
Delta National Wildlife Refuge	NWR	LA
Egmont Key National Wildlife Refuge	NWR	FL
Everglades National Park	NP	FL
Flower Garden Banks National Marine Sanctuary	NMS	TX
Grand Bay National Estuarine Research Reserve	NERR	AL-MS
Grand Bay National Wildlife Refuge	NWR	AL-MS
Gulf Islands National Seashore	NS	FL-MS
Gulf Sturgeon Critical Habitat	CH	FL-LA
Island Bay National Wildlife Refuge	NWR	FL
Island Bay Wilderness	W	FL
J.N. "Ding" Darling National Wildlife Refuge	NWR	FL
J.N. "Ding" Darling Wilderness	W	FL
Laguna Atascosa National Wildlife Refuge	NWR	TX
Lower Suwanee National Wildlife Refuge	NWR	TX
Mandalay National Wildlife Refuge	NWR	LA
Marjory Stoneman Douglas Wilderness	W	FL
Matlacha Pass National Wildlife Refuge	NWR	FL
McFaddin National Wildlife Refuge	NWR	TX
Mission-Aransas National Estuarine Research Reserve	NERR	TX
Moody National Wildlife Refuge	NWR	TX
Padre Island National Seashore	NS	TX
Passage Key National Wildlife Refuge	NWR	FL
Passage Key Wilderness	W	FL
Pine Island National Wildlife Refuge	NWR	FL

Table E-2. Protected and Sensitive Habitats in the Gulf of Mexico (continued)

Protected and Sensitive Habitat	Type	State
Pinellas National Wildlife Refuge	NWR	FL
Piping Plover Critical Habitat	CH	FL-TX
Rookery Bay National Estuarine Research Reserve	NERR	FL
Sabine National Wildlife Refuge	NWR	LA
San Bernard National Wildlife Refuge	NWR	TX
Shell Keys National Wildlife Refuge	NWR	LA
St. Marks National Wildlife Refuge	NWR	FL
St. Marks Wilderness	W	FL
St. Vincent National Wildlife Refuge	NWR	FL
Ten Thousand Islands National Wildlife Refuge	NWR	FL
Texas Point National Wildlife Refuge	NWR	TX
Weeks Bay National Estuarine Research Reserve	NERR	AL
West Indian Manatee Critical Habitat	CH	FL
Whooping Crane Critical Habitat	CH	TX

Source: DOC/NOAA and DOI 2006, Wilderness.net 2006

Notes: CH – Critical Habitat

NERR – National Estuarine Research Reserve

NMS – National Marine Sanctuary

NP – National Park

NS – National Seashore

NWR – National Wildlife Refuge

W – Wilderness

Table E-3. Protected and Sensitive Habitats on the U.S. Pacific Coast

Protected and Sensitive Habitat	Type	State
Admiralty Island National Monument	NM	AK
Alaska Maritime National Wildlife Refuge	NWR	AK
Alaska Peninsula National Wildlife Refuge	NWR	AK
Aleutian Islands Wilderness	W	AK
Aniakchak National Monument and Preserve	NM	AK
Bandon Marsh National Wildlife Refuge	NWR	OR
Becharof National Wildlife Refuge	NWR	AK
Becharof Wilderness	W	AK
Bogoslof Wilderness	W	AK
California Coastal Chinook Salmon ESU Critical Habitat	CH	CA
California Coastal National Monument	NM	CA
Cape Krusenstern National Monument	NM	AK
Cape Meares National Wildlife Refuge	NWR	OR
Castle Rock National Wildlife Refuge	NWR	CA
Central California Coast Coho Salmon ESU Critical Habitat	CH	CA
Central California Steelhead DPS Critical Habitat	CH	CA
Central Valley Spring-run Chinook Salmon ESU Critical Habitat	CH	CA
Channel Islands National Marine Sanctuary	NMS	CA
Chuck River Wilderness	W	AK
Chugach National Forest	NF	AK
Coastal California Gnatcatcher Critical Habitat	CH	CA
Columbia River Chum Salmon ESU Critical Habitat	CH	OR/WA
Copalis National Wildlife Refuge	NWR	WA
Cordell Bank National Marine Sanctuary	NMS	CA
Coronation Island Wilderness	W	AK
D.E. San Francisco Bay National Wildlife Refuge	NWR	CA
Dungeness National Wildlife Refuge	NWR	WA
Elkhorn Slough National Estuarine Research Reserve	NERR	CA
Ellicott Slough National Wildlife Refuge	NWR	CA
Farallon Wilderness	W	CA
Flattery Rocks National Wildlife Refuge	NWR	WA
Forrester Island Wilderness	W	AK
Glacier Bay National Park	NP	AK
Glacier Bay Wilderness	W	AK

Table E-3. Protected and Sensitive Habitats on the U.S. Pacific Coast (continued)

Protected and Sensitive Habitat	Type	State
Grays Harbor National Wildlife Refuge	NWR	WA
Guadalupe-Nipomo Dunes National Wildlife Refuge	NWR	CA
Gulf of the Farallones National Marine Sanctuary	NMS	CA
Hazy Island Wilderness	W	AK
Hood Canal Summer-run Chum Salmon ESU Critical Habitat	CH	WA
Humboldt Bay National Wildlife Refuge	NWR	CA
Izembek National Wildlife Refuge	NWR	AK
Izembek Wilderness	W	AK
Kachemak Bay National Estuarine Research Reserve	NERR	AK
Katmai National Park and Reserve	NP	AK
Katmai Wilderness	W	AK
Kenai Fjords National Park	NP	AK
Kenai National Wildlife Refuge	NWR	AK
Kenai Wilderness	W	AK
Kootzoonoo Wilderness	W	AK
Kuiu Wilderness	W	AK
Lewis and Clark National Wildlife Refuge	NWR	OR
Los Padres National Forest	NF	CA
Lower Columbia River Chinook Salmon ESU Critical Habitat	CH	OR/WA
Marbled Murrelet Critical Habitat	CH	AK
Marin Islands National Wildlife Refuge	NWR	CA
Maurille Island Wilderness	W	AK
Misty Fjords National Monument	NM	AK
Mollie Beattie Wilderness	W	AK
Monterey National Marine Sanctuary	NMS	CA
Nestucca Bay National Wildlife Refuge	NWR	OR
Nisqually National Wildlife Refuge	NWR	WA
Northern California Steelhead DPS Critical Habitat	CH	CA
North Pacific Right Whale Critical Habitat	CH	AK
Nunivak Wilderness	W	AK
Olympic Coast National Marine Sanctuary	NMS	WA
Olympic National Forest	NF	WA
Olympic Wilderness	W	WA
Oregon Coast Coho Salmon ESU	CH	OR

Table E-3. Protected and Sensitive Habitats on the U.S. Pacific Coast (continued)

Protected and Sensitive Habitat	Type	State
Oregon Islands National Wildlife Refuge	NWR	OR
Oregon Islands Wilderness	W	OR
Padilla Bay National Estuarine Research Reserve	NERR	WA
Petersburg Creek-Duncan Salt Chuck Wilderness	W	AK
Point Reyes National Seashore	NS	CA
Protection Island National Wildlife Refuge	NWR	WA
Puget Sound Chinook Salmon ESU Critical Habitat	CH	WA
Quillayute Needles National Wildlife Refuge	NWR	WA
Russell Fjord Wilderness	W	AK
Sacramento River Winter-run Chinook Salmon ESU Critical Habitat	CH	CA
Salinas River National Wildlife Refuge	NWR	CA
San Diego National Wildlife Refuge	NWR	CA
San Francisco Bay National Estuarine Research Reserve	NERR	CA
San Juan Islands National Wildlife Refuge	NWR	WA
San Pablo Bay National Wildlife Refuge	NWR	CA
Seal Beach National Wildlife Refuge	NWR	CA
Semidi Wilderness	W	AK
Siletz Bay National Wildlife Refuge	NWR	OR
Simeonof Islands Wilderness	W	AK
Sinuslaw National Forest	NF	OR
South Baranof Wilderness	W	AK
South Etolin Wilderness	W	AK
South Prince of Wales Wilderness	W	AK
South Slough National Estuarine Research Reserve	NERR	OR
South-Central California Coast Steelhead ESU Critical Habitat	CH	CA
Southern California Steelhead ESU Critical Habitat	CH	CA
Southern Oregon/Northern California Coasts Coho Salmon ESU Critical Habitat	CH	CA/OR
Southern Resident Killer Whale DPS Critical Habitat	CH	WA
Spectacled Eider Critical Habitat	CH	AK
Steller Sea Lion Conservation Area	Conservation Area	AK
Steller Sea Lion Critical Habitat	CH	CA/OR/AK

Table E-3. Protected and Sensitive Habitats on the U.S. Pacific Coast (continued)

Protected and Sensitive Habitat	Type	State
Steller's Eider Critical Habitat	CH	AK
Stikine-LeConte Wilderness	W	AK
Sweetwater Marsh National Wildlife Refuge	NWR	CA
Three Arch Rocks National Wildlife Refuge	NWR	OR
Tidewater Goby Critical Habitat	CH	CA
Tijuana River National Estuarine Research Reserve	NERR	CA
Tijuana Slough National Wildlife Refuge	NWR	CA
Tebenkof Bay Wilderness	W	AK
Togiak National Wildlife Refuge	NWR	AK
Tongass National Forest	NF	AK
Tracy Arm-Fords Terror Wilderness	W	AK
Unimak Wilderness	W	AK
Warren Island Wilderness	W	AK
Washington Islands Wilderness	W	WA
West Chichagof-Yakobi Wilderness	W	AK
Western Snowy Plover Critical Habitat	CH	CA-WA
Willapa National Wildlife Refuge	NWR	WA
Wrangell-St. Elias Wilderness	W	AK

Source: DOC/NOAA and DOI 2006, 50 CFR 226.204, 226.205, 226.210, and 226.212, Wilderness.net 2006

Notes: CH – Critical Habitat

DPS – Distinct Population Segment

ESU – Evolutionary Significant Unit

NERR – National Estuarine Research Reserve

NF – National Forest

NM – National Monument

NMS – National Marine Sanctuary

NP – National Park

NS – National Seashore

W – Wilderness

Table E-4. Protected and Sensitive Habitats in the Pacific Islands

Protected and Sensitive Habitat	Type	State/Territory
Bird Island Marine Sanctuary	Marine Sanctuary	CNMI
Hawaiian Monk Seal Critical Habitat	CH	HI
Fagatele Bay National Marine Sanctuary	NMS	AS
Guam National Wildlife Refuge	NWR	GU
Hawaiian Islands National Wildlife Refuge	NWR	HI
Forbidden Island Marine Sanctuary	Marine Sanctuary	CNMI
Kilauea Point National Wildlife Refuge	NWR	HI
Midway Atoll National Wildlife Refuge	NWR	HI
National Park of American Samoa	NP	AS
Northwestern Hawaiian Islands Marine National Monument	NM	HI
Hawaii Volcanoes Wilderness	W	HI
Hawaiian Islands Humpback Whale National Marine Sanctuary	NMS	HI

Source: DOC/NOAA and DOI 2006, Wilderness.net 2006

Notes: AS– American Samoa

CH – Critical Habitat

CNMI– Commonwealth of the Northern Mariana Islands

GU – Guam

NM – National Monument

NMS – National Marine Sanctuary

NP – National Park

NWR – National Wildlife Refuge

W – Wilderness

Table E-5. Protected Invertebrates and Plants Inhabiting the Action Area

Common Name	Scientific Name	Federal Status under ESA	Action Area Occurrence
Black abalone	<i>Haliotis cracherodii</i>	E	CA
White abalone	<i>Haliotis sorenseni</i>	E	CA
Elkhorn coral	<i>Acropora palmate</i>	T	FL, PR, VI
Staghorn coral	<i>Acropora cervicornis</i>	T	FL, PR, VI
Johnson's seagrass	<i>Halophila johnsonii</i>	T/CH	FL

Source: NMFS 2006, USFWS 2009, 74 FR 1937

Notes: CH – Critical Habitat
 E – Federally listed as endangered
 PR – Puerto Rico
 T – Federally listed as threatened
 VI – U.S. Virgin Islands

Table E-6. Sea Turtles Inhabiting the Action Area

Common Name	Scientific Name	Federal Status under ESA	Action Area Occurrence
Green	<i>Chelonia mydas</i>	T*/CH	Entire
Hawksbill	<i>Eretmochelys imbricate</i>	E/CH	South Atlantic Coast, Gulf of Mexico, Pacific Area Islands
Kemp's ridley	<i>Lepidochelys kempii</i>	E	Atlantic Coast
Leatherback	<i>Dermochelvs coriacea schlegelii</i>	E/CH	Entire
Loggerhead	<i>Caretta caretta gigas</i>	T	Entire
Olive ridley	<i>Lepidochelys olivacea</i>	T	South Atlantic Coast, Pacific Coast (rare in OR, WA, AK), Pacific Islands

Source: USFWS 2009

Notes: CH – Critical habitat in a ROI
 E – Federally listed as endangered
 T – Federally listed as threatened
 * – Florida nesting population listed as endangered

Table E-7. Protected Fisheries Resources on the U.S. Atlantic Coast

Common Name	Scientific Name	Federal Status under ESA	Occurrence
Atlantic salmon (Gulf of Maine DPS)	<i>Salmo salar</i>	E	ME
Smalltooth sawfish	<i>Pristis pectinata</i>	E	NC-FL
Shortnose sturgeon	<i>Acipenser brevirostrum</i>	E	Entire Atlantic Coast

Source: USFWS 2009

Notes: DPS – Distinct Population Segment

E – Federally listed as endangered

Table E-8. Protected Fisheries Resources in the Gulf of Mexico

Common Name	Scientific Name	Federal Status under ESA	Occurrence
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T/CH	FL-LA
Smalltooth sawfish	<i>Pristis pectinata</i>	E	Entire Gulf of Mexico

Source: USFWS 2009

Notes: CH – Critical Habitat

E – Federally listed as endangered

T – Federally listed as threatened

Table E-9. Protected Fisheries Resources on the U.S. Pacific Coast

Common Name	Scientific Name	Federal Status under ESA
Chinook salmon	<i>Oncorhynchus tshawytscha</i>	E/T/CH
Chinook salmon ESUs:	California Coastal ESU	T/CH
	Central Valley spring-run ESU	T/CH
	Lower Columbia River ESU	T/CH
	Puget Sound ESU	T/CH
	Sacramento River winter-run ESU	E/CH
Chum salmon	<i>Oncorhynchus keta</i>	E/T/CH
Chum salmon ESUs:	Hood Canal summer-run ESU	T/CH
	Columbia River ESU	T/CH
Coho salmon	<i>Oncorhynchus kisutch</i>	E/T/CH
Coho salmon ESUs:	Oregon Coast ESU	T/CH
	Southern Oregon/Northern California Coasts ESU	T/CH
	Central California Coast ESU	E/CH
Green sturgeon (Southern DPS)	<i>Acipenser medirostris</i>	T
Sockeye salmon	<i>Oncorhynchus nerka</i>	E/T
Steelhead	<i>Oncorhynchus mykiss</i>	E/T/CN/CH
Steelhead ESUs:	Puget Sound	T
	Northern California ESU	T/CH
	Central California ESU	T/CH
	South-Central California Coast ESU	T/CH
	Southern California ESU	E/CH
Tidewater goby	<i>Eucyclogobius newberryi</i>	E/CH
Black abalone	<i>Haliostis cracherodii</i>	E

**Table E-9. Protected Fisheries Resources on the U.S. Pacific Coast
(continued)**

Common Name	Scientific Name	Federal Status under ESA
White abalone	<i>Haliotis sorenseni</i>	E

Source: 50 CFR 226.204, 226.205, 226.210, and 226.212, 72 FR 26722, 73 FR 7816

- Notes: CH – Critical habitat
 CN – Candidate species
 DPS – Distinct Population Segment
 E – Federally listed as endangered
 ESU – Evolutionary Significant Unit
 T – Federally listed as threatened
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Table E-10. Protected Birds of the U.S. Atlantic Coast

Common Name	Scientific Name	Federal Status under ESA	Distribution	Migration Pattern
Bald eagle	<i>Haliaeetus leucocephalus</i>	T/AD	Locally throughout most of North America, including coasts	Occurs year-round in many coastal areas. Breeds in spring, and some individuals migrate south during winter, while many remain in the northeast year-round.
Piping plover	<i>Charadrius melodus</i>	T/CH	Atlantic coast, Great Lakes, Northern Great Plains, Gulf coast, and Caribbean. Critical habitat for wintering populations from North Carolina south to Florida.	Breeds on sandy beaches in isolated colonies on the northeast coast and Great Lakes region from March to September, where they spend the summer. Winters along southeastern coast.
Roseate tern	<i>Sterna dougallii dougallii</i>	E	Atlantic coast and Caribbean	Breeds on islands and protected sand spits. Occurs on northeast coast during spring and summer and migrates south as far as the Caribbean during fall and winter.
Whooping crane	<i>Grus Americana</i>	NEP	Virginia to Florida	Winters in the Gulf coast of Texas October to April, when they migrate north to Canada.
Wood stork	<i>Mycteria americana</i>	E	South Carolina to Florida	Breeds in Alabama, Florida, Georgia, and South Carolina.
Yellow-shouldered blackbird	<i>Agelaius xanthomus</i>	E/CH	Critical habitat areas in southwest Puerto Rico and Isla Mona	Resident species in Puerto Rico and Isla Mona. Nesting season April to October.

Source: USFWS 2009

Notes: AD – Proposed Delisting

CH – Critical Habitat in the ROI

E – Federally listed as endangered

NEP – Non-essential population

T – Federally listed as threatened

Table E-11. Protected Birds of the Gulf of Mexico

Common Name	Scientific Name	Federal Status under ESA	Distribution	Migration Pattern
Bald eagle	<i>Haliaeetus leucocephalus</i>	T/AD	Locally throughout most of North America, including coasts	Winters along central and southeast coast and Texas coast with year-round populations in Florida and Gulf coasts east of Texas.
Brown pelican	<i>Pelecanus occidentalis</i>	E	Texas to Mississippi	Year-round resident in the southeast.
Piping plover	<i>Charadrius melodus</i>	T/CH	Atlantic coast, Great Lakes, Northern Great Plains, Gulf of Mexico. Critical habitat for wintering populations entire Gulf Coast.	Winters on the southeast and Gulf coasts and the Caribbean October to March. Breeding: Atlantic coast, Great Lakes, and Northern Great Plains.
Whooping crane	<i>Grus Americana</i>	E/CH	Critical habitat is on Texas coast	Winters in the Gulf coast of Texas October to April, when they migrate north to Canada.
Wood stork	<i>Mycteria americana</i>	E	Alabama (Mississippi Valley)	Breeds in Alabama, Florida, Georgia, and South Carolina.

Source: USFWS 2009

Notes: AD – Proposed Delisting

CH – Critical Habitat in the ROI

E – Federally listed as endangered

T – Federally listed as threatened

Table E-12. Protected Birds of the U.S. Pacific Coast

Common Name	Scientific Name	Federal Status under ESA	Distribution	Migration Pattern
Bald eagle	<i>Haliaeetus leucocephalus</i>	T/AD	Locally throughout most of North America, including coasts	Year-round resident and breeds in most Pacific continental coastal areas. Some migration occurs from northern California and Oregon to southern California coast, where small population spends the summer.
Brown pelican	<i>Pelecanus occidentalis</i>	E	Pacific coast	Breeds in southern California March to April and is found from southern Mexico to central California and occasionally from northern California to Washington.
California Condor	<i>Gymnogyps californianus</i>	E	Condors reintroduced into mountains of Los Angeles, vicinity of Big Sur, and Arizona	On coast of California.
California clapper rail	<i>Rallus longirostris obsoletus</i>	E	San Francisco Bay area, California	Year-round resident on central and southern California coast.
California least tern	<i>Sterna antillarum browni</i>	E	Central and southern coast of California	Breeds and spends spring and summer on southern and central California coasts. Migrates to Central America and south in fall for the winter.
Coastal California Gnatcatcher	<i>Poliioptila californica californica</i>	T/CH	Southern California coast. Critical habitat in Southern California.	Non-migratory inhabiting coastal sage scrub from Los Angeles county south to Baja California, Mexico.
Light-footed clapper rail	<i>Rallus longirostris levipes</i>	E	Southern California coast	Year-round resident on central and southern California coast.

Table E-12. Protected Birds of the U.S. Pacific Coast (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution	Migration Pattern
Marbled murrelet	<i>Brachyramphus marmoratus marmoratus</i>	T/CH	Alaska coast south to California coast. Critical habitat in Alaska.	Breeds from northern Washington to San Francisco coast. Winters along entire Pacific coast. Summers from Kenai Peninsula, Barren Islands, and Aleutian Islands south along the coast of North America.
San Clemente loggerhead shrike	<i>Lanius ludovicianus mearnsi</i>	E	San Clemente Island, California	Year-round resident on San Clemente Island.
San Clemente sage sparrow	<i>Amphispiza belli clementeae</i>	T	San Clemente Island, California	Year-round resident on San Clemente Island.
Short-tailed albatross	<i>Phoebastria albatrus</i>	E	Open Pacific Ocean from Alaska to California	Found most commonly in summer and fall. Breeds in Japan, Midway, and Hawaii and migrates north for summer and south for winter.
Spectacled eider	<i>Somateria fisheri</i>	T/CH	Coast of Alaska	Breeds on the coast of Alaska on the Bering Sea and the Arctic Ocean. Migrates south for the winter but winter range is unknown.
Steller's eider	<i>Polysticta stelleri</i>	T/CH	Alaska Coast, accidental south to California. Critical habitat in Alaska.	Accidental in summer in Pacific waters. Breeds on eastern Arctic coast and migrates to Aleutian Islands and western coast of Alaska.
Western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T/CH	Washington to California. Critical habitat in California, Oregon, and Washington.	Summers along Pacific coast and migrates south to Mexico and South America during winter.

Source: USFWS 2009

Notes: AD – Proposed Delisting

CH – Critical Habitat in the ROI

E – Federally listed as endangered

T – Federally listed as threatened

Table E-13. Protected Birds of the Pacific Islands

Common Name	Scientific Name	Federal Status under ESA	Distribution	Migration Pattern
Guam bridled white-eye	<i>Zosterops conspicillatus conspicillatus</i>	E	Guam	Year-round resident, habitat includes beach strand.
Hawaiian Coot	<i>Fulica americana alai</i>	E	Hawaii coasts	Year-round resident Hawaiian Islands.
Hawaiian dark-rumped petrel	<i>Pterodroma phaeopygia sandwichensis</i>	E	Pacific Ocean around Hawaii	Found on the Hawaiian Islands from May to mid-November during breeding; central Pacific from mid-November through April.
Hawaiian duck	<i>Anas wyvilliana</i>	E	Pearl Harbor, Hawaii	Year-round resident on selected Hawaiian Islands.
Hawaiian stilt	<i>Himantopus mexicanus knudseni</i>	E	Hawaii coasts	Year-round resident Hawaiian Islands.
Laysan duck	<i>Anas laysanensis</i>	E	Laysan, Hawaii	Year-round resident Laysan Atoll, Hawaii.
Laysan finch	<i>Telespyza cantans</i>	E	Laysan, Pearl, and Hermes atolls, Hawaii	Year-round resident Laysan, Pearl, and Hermes atolls, Hawaii.
Mariana crow	<i>Corvus kubaryii</i>	E	Guam	Year-round resident, habitat includes beach strand.
Newell's Townsend's shearwater	<i>Puffinus auricularis newelli</i>	E	Pacific Ocean around Hawaii	Found on the island of Kauai April through September during breeding. On the open ocean from October to April.
Nihoa finch	<i>Telespyza ultima</i>	E	Nihoa Island, Hawaii	Year-round resident Nihoa Island, Hawaii.
Short-tailed albatross	<i>Phoebastria albatrus</i>	E	Open Pacific Ocean from Alaska to California	Most common in summer and fall. Breeds in Midway and Hawaii.

Source: USFWS 2009

Notes: E – Federally listed as endangered

Table E-14. Marine Mammals Common in the NMFS Northeast Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Phocids (true or earless seals)			
Bearded seal	<i>Erignathus barbatus</i>	*	Unusual
Gray seal	<i>Halichoens griseus</i>	*	Year-round resident
Harbor seal	<i>Phoca vitulina</i>	*	Year-round resident
Harp seal	<i>Phoca groenlandica</i>	*	More common in winter
Hooded seal	<i>Cystophora cristata</i>	*	More common in winter
Ringed seal	<i>Phoca hispida</i>	*	More common in winter
Mysticetes (baleen whales)			
Blue whale	<i>Balaenoptera musculus</i>	E	Population highest in spring/summer due to northward migration from subtropics
Bryde's whale	<i>Balaenoptera edeni</i>	*	Located in southern part of ROI
Fin whale	<i>Balaenoptera physalus</i>	E	Year-round resident, peak from April to October, visits coastal waters in many areas
Minke whale	<i>Balaenoptera acutorostrata</i>	*	Abundant from April to November; frequent coastal regions, bays, offshore banks
Humpback whale	<i>Megaptera novaeangliae</i>	E	Migratory population, with peak abundance mainly during summer but also in autumn; coastal distribution in the summer. Breeds in the Caribbean within 8–16 km of shore
North Atlantic right whale	<i>Eubalaena glacialis</i>	E/CH	Population highest in spring/summer
Sei whale	<i>Balaenoptera borealis</i>	E	Range from ME to VA
Odontocetes (toothed whales and dolphins)			
Atlantic white-sided dolphin	<i>Lagenorhynchus acutus</i>	*	Common inshore spring through autumn, uncommon from DE to VA
Atlantic spotted dolphin	<i>Stenella frontalis</i>	*	Occur in southern part of ROI, generally pelagic
Blainville's beaked whale	<i>Mesoplodon densirostris</i>	*	Pelagic habitat
Clymene dolphin	<i>Stenella clymene</i>	*	Occur in southern ROI, pelagic
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Common in summer

Table E-14. Marine Mammals Common in the NMFS Northeast Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Dwarf sperm whale	<i>Kogia sima</i>	*	Occur from DE to VA
False killer whale	<i>Pseudorca crassidens</i>	*	Occur from DE to VA
Gervais' beaked whale	<i>Mesoplodon europaeus</i>	*	Oceanic habitat
Killer whale	<i>Orcinus orca</i>	*	Occasional visitor
Long-finned pilot whale	<i>Globicephala melas</i>	*	Pelagic, moves inshore late summer and fall
Northern bottlenose whale	<i>Hyperoodon ampullatus</i>	*	Occasional, seen in fall and winter
Pantropical spotted dolphin	<i>Stenella attenuata</i>	*	Uncommon
Pygmy sperm whale	<i>Kogia breviceps</i>	*	Rare north of Cape Cod, MA
Risso's dolphin	<i>Grampus griseus</i>	*	Uncommon north of Cape Cod, MA
Rough-toothed dolphin	<i>Steno bredanensis</i>	*	Pelagic habitat
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	*	Generally pelagic, occurs in southern ROI (DE to VA) in the summer
Sowerby's beaked whale	<i>Mesoplodon bidens</i>	*	Pelagic habitat
Sperm whale	<i>Physeter macrocephalus</i>	E	Mainly in deep waters, migrates to shallower waters from ME to NC
Spinner dolphin	<i>Stenella longirostris</i>	*	Occurs in southern ROI (DE to VA)
Striped dolphin	<i>Stenella coeruleoalba</i>	*	Common, pelagic habitat
True's beaked whale	<i>Mesoplodon mirus</i>	*	Pelagic habitat
Beluga whale	<i>Delphinapterus leucas</i>	*	Occasional strays, seen in winter
Short-beaked common dolphin	<i>Delphinus delphis</i>	*	Generally pelagic, common
Bottlenose dolphin	<i>Tursiops truncatus</i>	*	Seen in summer offshore, uncommon
White-beaked dolphin	<i>Lagenorhynchus albirostris</i>	*	Occur from November to June

Table E-14. Marine Mammals Common in the NMFS Northeast Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Harbor porpoise	<i>Phocoena phocoena</i>	*	Common in inshore areas from April to October; strandings reported in Florida; sometimes enters bays and river mouths

Source: Geraci and Lounsbury 2005

Notes: CH – Critical Habitat in the ROI
 E – Federally listed as endangered
 T – Federally listed as threatened
 * – only protected under MMPA

Table E-15. Marine Mammals Common in the NMFS Southeast Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Phocids (true or earless seals)			
Harbor seal	<i>Phoca vitulina</i>	*	Occasional
Mysticetes (baleen whales)			
Blue whale	<i>Balaenoptera musculus</i>	E	Population highest in spring/summer due to northward migration from subtropics
Bryde's whale	<i>Balaenoptera edeni</i>	*	Common
Fin whale	<i>Balaenoptera physalus</i>	E	Year-round resident, visits coastal waters in many areas
Minke whale	<i>Balaenoptera acutorostrata</i>	*	Uncommon in Gulf of Mexico, occur in other waters of the ROI; frequent coastal regions, bays, offshore banks
Humpback whale	<i>Megaptera novaeangliae</i>	E	Migratory population moves along the southeastern U.S. on the way to its wintering grounds, occur January through May
North Atlantic right whale	<i>Eubalaena glacialis</i>	E/CH	Wintering and calving grounds are along Georgia and Florida, occur December through March, nearshore
Sei whale	<i>Balaenoptera borealis</i>	E	Southern portion of range during spring/summer
Odontocetes (toothed whales and dolphins)			
Atlantic spotted dolphin	<i>Stenella frontalis</i>	*	Generally pelagic
Blainville's beaked whale	<i>Mesoplodon densirostris</i>	*	Pelagic
Bottlenose dolphin	<i>Tursiops truncatus</i>	*	Both coastal and offshore variety are common in this ROI, frequents bays and estuaries
Clymene dolphin	<i>Stenella clymene</i>	*	Pelagic
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Pelagic
Dwarf sperm whale	<i>Kogia sima</i>	*	Pelagic
Gervais' beaked whale	<i>Mesoplodon europaeus</i>	*	Oceanic

Table E-15. Marine Mammals Common in the NMFS Southeast Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Harbor porpoise	<i>Phocoena phocoena</i>	*	Rare in southeast Atlantic, not in Gulf of Mexico/Caribbean
False killer whale	<i>Pseudorca crassidens</i>	*	Pelagic
Fraser's dolphin	<i>Lagenodelphis hosei</i>	*	Rare in southeast Atlantic and Gulf of Mexico, occurs in Caribbean, pelagic
Killer whale	<i>Orcinus orca</i>	*	Uncommon
Long-finned pilot whale	<i>Glodicephala melas</i>	*	Northern part of southeast Atlantic, rare, pelagic
Melon-headed whale	<i>Peponocephala electra</i>	*	Rare in southeast Atlantic, occur in Gulf of Mexico, pelagic
Pantropical spotted dolphin	<i>Stenella attenuata</i>	*	Offshore and coastal groups
Pygmy killer whale	<i>Feresa attenuata</i>	*	Pelagic
Pygmy sperm whale	<i>Kogia breviceps</i>	*	Pelagic
Risso's dolphin	<i>Grampus griseus</i>	*	Pelagic
Rough-toothed dolphin	<i>Steno bredanensis</i>	*	Pelagic
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	*	Pelagic
Sperm whale	<i>Physeter macrocephalus</i>	E	Generally pelagic
Spinner dolphin	<i>Stenella longirostris</i>	*	Common, pelagic and coastal, daytime in shallow bays
Striped dolphin	<i>Stenella coeruleoalba</i>	*	Pelagic
True's beaked whale	<i>Mesoplodon mirus</i>	*	Pelagic
Short-beaked common dolphin	<i>Delphinus delphis</i>	*	Pelagic
Trichechids (manatees)			
West Indian manatee	<i>Trichechus manatus</i>	E/CH	Resident in rivers and coastal waters of peninsular Florida and southern Georgia; previous records in Carolinas and Texas

Source: Geraci and Lounsbury 2005

Notes: CH – Critical Habitat in the ROI

E – Federally listed as endangered

* – only protected under MMPA

Table E-16. Marine Mammals Common in the NMFS Southwest Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Otarrids (eared seals or sea lions)			
California sea lion	<i>Zalophus californianus</i>	*	Year-round resident
Guadalupe fur seal	<i>Arctocephalus townsendi</i>	T	Breeds off Baja California
Northern elephant seal	<i>Mirounga angustirostris</i>	*	Year-round resident
Northern fur seal	<i>Callorhinus ursinus</i>	*	Year-round resident
Steller sea lion	<i>Eumetopias jubatas</i>	T/CH	Visitor to area from southern breeding grounds, coastal to pelagic
Phocids (true or earless seals)			
Harbor seal	<i>Phoca vitulina</i>	*	Year-round resident
Mysticetes			
Blue whale	<i>Balaenoptera musculus</i>	E	Population highest in spring due to northward migration from subtropics
Bryde's whale	<i>Balaenoptera edeni</i>	*	Rare in southern California
Fin whale	<i>Balaenoptera physalus</i>	E	Common in summer, visits coastal waters in many areas, migratory
Gray whale	<i>Eschrichtius robustus</i>	*	Migration population, with peak abundance in winter and spring
Humpback whale	<i>Megaptera novaeangliae</i>	E	Migratory population, with peak abundance mainly during summer but also in autumn
Minke whale	<i>Balaenoptera acutorostrata</i>	*	Year-round resident, frequent coastal regions, bays, offshore banks
North Pacific right whale	<i>Eubalaena japonica</i>	E	Only two sightings in southern California
Sei whale	<i>Balaenoptera borealis</i>	E	Seen in summer/fall during migration, pelagic
Odontocetes (toothed whales and dolphins)			
Baird's beaked whale	<i>Berardius bairdii</i>	*	Peak June-October, pelagic
Blainville's beaked whale	<i>Mesoplodon densirostris</i>	*	Pelagic
Bottlenose dolphin	<i>Tursiops truncatus</i>	*	Year-round resident; frequents bays and estuaries in southern regions

Table E-16. Marine Mammals Common in the NMFS Southwest Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Pelagic
Dall's porpoise	<i>Phocoenoides dalli</i>	*	Year-round resident, nearshore in deep water, pelagic
Dwarf sperm whale	<i>Kogia sima</i>	*	Rare further north, pelagic
Ginkgo-toothed beaked whale	<i>Mesoplodon ginkgodens</i>	*	Rare, pelagic
False killer whale	<i>Pseudorca crassidens</i>	*	Occasional, pelagic
Harbor porpoise	<i>Phocoena phocoena</i>	*	Coastal in bays, estuaries, and rivers; frequent offshore banks
Hubb's beaked whale	<i>Mesoplodon carlhubbsi</i>	*	Pelagic
Killer whale	<i>Orcinus orca</i>	*	Incidental accounts of transients in area, most likely from northern latitudes; common inshore visitors
Long-beaked common dolphin	<i>Delphinus capensis</i>	*	Occur in southern California, prefer shallow, warm waters
Northern right whale dolphin	<i>Lissodelphis borealis</i>	*	Inshore winter through spring, pelagic
Pacific white-sided dolphin	<i>Lagenorhynchus obliquidens</i>	*	Year-round resident, peak winter through spring, pelagic
Perrin's beaked whale	<i>Mesoplodon perrini</i>	*	Pelagic
Pygmy sperm whale	<i>Kogia breviceps</i>	*	Pelagic
Risso's dolphin	<i>Grampus griseus</i>	*	Year-round resident, pelagic
Rough-toothed dolphin	<i>Steno bredanensis</i>	*	Uncommon, pelagic
Short-beaked common dolphin	<i>Delphinus delphis</i>	*	Year-round resident, pelagic
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	*	Small year-round population, peak late winter/early spring
Sperm whale	<i>Physeter macrocephalus</i>	E	Peak from November-April, generally pelagic
Stejneger's beaked whale	<i>Mesoplodon stejnegeri</i>	*	Pelagic
Striped dolphin	<i>Stenella coeruleoalba</i>	*	Pelagic

Table E-16. Marine Mammals Common in the NMFS Southwest Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Southern sea otter	<i>Enhydra lutris nereis</i>	T	Year-round resident

Source: Geraci and Lounsbury 2005

Notes: CH – Critical Habitat in the ROI

E – Federally listed as endangered

T – Federally listed as threatened

* – only protected under MMPA

Table E-17. Marine Mammals Common in the NMFS Northwest Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Otariids (eared seals or sea lions)			
Northern elephant seal	<i>Mirounga angustirostris</i>	*	Year-round resident
California sea lion	<i>Zalophus californianus</i>	*	Year-round resident
Steller sea lion	<i>Eumetopias jubatus</i>	T/CH	Visitor to area from southern breeding grounds, coastal to pelagic
Northern fur seal	<i>Callorhinus ursinus</i>	*	Year-round resident
Phocids (true or earless seals)			
Harbor seal	<i>Phoca vitulina</i>	*	Year-round resident
Mysticetes (baleen whales)			
Blue whale	<i>Balaenoptera musculus</i>	E	Occur spring-fall; pelagic but may frequent coastal waters and shallow banks
Gray whale	<i>Eschrichtius robustus</i>	*	Found March-May, October-December, few in summer
Fin whale	<i>Balaenoptera physalus</i>	E	Occur in summer, generally pelagic, visits coastal waters in many areas, migratory
Humpback whale	<i>Megaptera novaeangliae</i>	E	Migratory population, with peak abundance mainly during summer but also in autumn
Minke whale	<i>Balaenoptera acutorostrata</i>	*	Year-round resident; frequents coastal regions, bays, and offshore banks
North Pacific right whale	<i>Eubalaena japonica</i>	E	Uncommon
Sei whale	<i>Balaenoptera borealis</i>	E	Seen in summer and fall
Odontocetes (toothed whales and dolphins)			
Baird's beaked whale	<i>Berardius bairdii</i>	*	Occur April-October, pelagic
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Pelagic
False killer whale	<i>Pseudorca crassidens</i>	*	Occasional, pelagic
Hubb's beaked whale	<i>Mesoplodon carlhubbsi</i>	*	Pelagic

Table E-17. Marine Mammals Common in the NMFS Northwest Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Killer whale	<i>Orcinus orca</i>	*/E	Southern Resident population listed as endangered. Inshore year-round.
Stejneger's beaked whale	<i>Mesoplodon stejnegeri</i>	*	Pelagic
Sperm whale	<i>Physeter macrocephalus</i>	E	Seen spring-fall, generally pelagic
Pacific white-sided dolphin	<i>Lagenorhynchus obliquidens</i>	*	Year-round resident, generally pelagic, nearshore in deep water
Pygmy sperm whale	<i>Kogia breviceps</i>	*	Pelagic
Northern right whale dolphin	<i>Lissodelphis borealis</i>	*	Uncommon
Risso's dolphin	<i>Grampus griseus</i>	*	Occur spring-fall, pelagic
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	*	Uncommon
Short-beaked common dolphin	<i>Delphinus delphis</i>	*	Rare, pelagic
Striped dolphin	<i>Stenella coeruleoalba</i>	*	Rare, pelagic
Dall's porpoise	<i>Phocoenoides dalli</i>	*	Year-round resident, pelagic; nearshore in deep water
Harbor porpoise	<i>Phocoena phocoena</i>	*	Coastal in bays, estuaries, and rivers; frequent offshore banks

Source: Geraci and Lounsbury 2005

Notes: CH – Critical Habitat in the ROI

E – Federally listed as endangered

T – Federally listed as threatened

* – only protected under MMPA

Table E-18. Marine Mammals Common in the NMFS Alaska Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Otariids (eared seals or sea lions)			
Bearded seal	<i>Erignathus barbatus</i>	*	Occur along continental shelf of Beaufort, Chukchi, and Bering Seas
Northern fur seal	<i>Callorhinus ursinus</i>	*	Found in Pribilof Islands and San Miguel Island, breeding areas, occur summer-fall
Steller sea lion	<i>Eumetopias jubatus</i>	T/E/CH	Distributed around North Pacific rim, northward to Bering Sea and along eastern shore of Kamchatka Peninsula, Gulf of Alaska, and Aleutian Islands
Phocids (true or earless seals)			
Harbor seal	<i>Phoca vitulina</i>	*	Year-round resident, northern extent is Bristol Bay/Kuskokwim Bay area
Northern elephant seal	<i>Mirounga angustirostris</i>	*	Males feed near eastern Aleutian Islands, and in Gulf of Alaska
Ribbon seal	<i>Histiophoca fasciata</i>	*	Found in Bering and Chukchi seas; winter-spring, offshore along ice front; summer range unknown; breeds along ice front
Ringed seal	<i>Phoca hispida</i>	*	Found in southern Bering Sea
Spotted seal	<i>Phoca largha</i>	*	Occur along continental shelf of Beaufort, Chukchi, and Bering Seas
Odobenids (walrus)			
Walrus	<i>Odobenus rosmarus divergens</i>	*	Found in shallow water areas, close to ice or land; geographic range mainly in Bering and Chukchi Seas ice pack.
Mysticetes (baleen whales)			
Blue whale	<i>Balaenoptera musculus</i>	E	Occur from the Gulf of Alaska to the Aleutian Islands, pelagic, may frequent coastal waters and shallow banks
Bowhead whale	<i>Balaena mysticetus</i>	E	Occur in the coastal and offshore regions, mostly along ice fronts and leads, migratory
Fin whale	<i>B. physalus</i>	E	Common in summer, generally pelagic, visits coastal waters in many areas, migratory
Gray whale	<i>Eschrichtius robustus</i>	*	Migrate along the Alaskan coast in winter and early spring; inhabit the eastern Alaskan waters during summer; occur in both the Bering and Chukchi seas

Table E-18. Marine Mammals Common in the NMFS Alaska Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Humpback whale	<i>Megaptera novaeangliae</i>	E	Common in summer, coastal in many areas, migratory
Minke whale	<i>B. acutorostrata</i>	*	Common in summer, frequent coastal regions, bays, and offshore banks
North Pacific right whale	<i>Eubalaena japonica</i>	E	Occur in Gulf of Alaska and Bering Sea
Sei whale	<i>Balaenoptera borealis</i>	E	Occur in southern Alaska during summer and fall, pelagic
Odontocetes (toothed whales and dolphins)			
Baird's beaked whale	<i>Berardius bairdii</i>	*	Occur in southern part of Alaska during winter, pelagic
Beluga whale	<i>Delphinapterus leucas</i>	E (Cook Inlet Stock only)	Coastal in bays, estuaries, and rivers; migratory along leads; winter offshore in pack ice
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Occur in the Aleutian islands, pelagic
Killer whale	<i>Orcinus orca</i>	*	Common, inhabit coastal waters throughout SE Alaska, Gulf of Alaska, and Aleutian Islands
Dall's porpoise	<i>Phocoenoides dalii</i>	*	Occur south of the Bering Strait, pelagic, nearshore in deep water, found frequently in inside waters of SE Alaska
Harbor porpoise	<i>Phocoena phocoena</i>	*	Occur year-round in SE Alaska; coastal in bays, estuaries, and rivers; frequent offshore banks
Narwhal	<i>Monodon monoceros</i>	*	Rare, usually associated with pack ice and deep water
Pacific White-sided dolphin	<i>Lagenorhynchus obliquidens</i>	*	Common in Aleutian Islands in summer, pelagic, nearshore in deep water
Stejneger's beaked whale	<i>Mesoplodon stejnegeri</i>	*	Pelagic
Sperm whale	<i>Physeter macrocephalus</i>	E	Common in summer, mostly males, generally pelagic
Mustelids (otters)			
Northern sea otter	<i>Enhydra lutris keyoni</i>	T (southwest DPS)	Lives in shallow water areas along the shores of the North Pacific

Table E-18. Marine Mammals Common in the NMFS Alaska Region (continued)

Common Name	Scientific Name	Federal Status under ESA	Distribution
Polar bear	<i>Ursus maritimus</i>	T	Rear round resident of the Arctic Circle

Source: Geraci and Lounsbury 2005, USFWS 2009

Notes: CH – Critical Habitat in the ROI
 E – Federally listed as endangered
 T – Federally listed as threatened
 * – only protected under MMPA

Table E-19. Marine Mammals Common in the NMFS Pacific Islands Region

Common Name	Scientific Name	Federal Status under ESA	Distribution
Phocids (true or earless seals)			
Hawaiian Monk seal	<i>Monachus schauinslandi</i>	E/CH	Most common northwest of the main seven-island chain
Mysticetes (baleen whales)			
Blue whale	<i>Balaenoptera musculus</i>	E	Population thought to occur in deeper offshore waters
Bryde's whale	<i>Balaenoptera edensi</i>	*	Occurs throughout the main seven island chain January through April
Fin whale	<i>Balaenoptera physalus</i>	E	Occurs in winter
Humpback whale	<i>Megaptera novaeangliae</i>	E	Occurs throughout the main seven island chain January through April
Minke whale	<i>Balaenoptera acutorostrata</i>	*	Occurs near Leeward Island
North Pacific right whale	<i>Eubalaena japonica</i>	*	Rare, most likely stray individuals from more northern populations
Sei whale	<i>Balaenoptera borealis</i>	E	In eastern North Pacific, population is migratory transient from coast of Mexico to Gulf of Alaska
Odontocetes (toothed whales and dolphins)			
Blainville's beaked whale	<i>Mesoplodon densirostris</i>	*	Pelagic
Bottlenose dolphin	<i>Tursiops truncatus</i>	*	Common along the coastlines
Cuvier's beaked whale	<i>Ziphius cavirostris</i>	*	Rare
Dwarf sperm whale	<i>Kogia sima</i>	*	Pelagic
False killer whale	<i>Pseudorca crassidens</i>	*	Occasionally seen between the main Hawaiian islands, pelagic
Fin whale	<i>Balaenoptera physalus</i>	E	Common in winter, visits coastal waters in many areas, migratory
Fraser's dolphin	<i>Lagenodelphis hosei</i>	*	Pelagic
Killer whale	<i>Orcinus orca</i>	*	Rare
Melon-headed whale	<i>Peponocephala electra</i>	*	Occasionally seen between the main Hawaiian islands, pelagic
Pantropical spotted dolphin	<i>Stenella attenuata</i>	*	Common along the coastlines
Pygmy killer whale	<i>Feresa attenuata</i>	*	Occasionally seen between the main Hawaiian islands, pelagic

**Table E-19. Marine Mammals Common in the NMFS Pacific Islands Region
(continued)**

Common Name	Scientific Name	Federal Status under ESA	Distribution
Pygmy sperm whale	<i>Kogia breviceps</i>	*	Pelagic
Rough-toothed dolphin	<i>Steno bredanensis</i>	*	Pelagic
Short-finned pilot whale	<i>Globicephala macrorhynchus</i>	*	Occasionally between the main Hawaiian islands, pelagic
Sperm whale	<i>Physeter macrocephalus</i>	E	In deeper waters off Hawaii, year-round resident
Striped dolphin	<i>Stenella coeruleoalba</i>	*	Pelagic
Spinner dolphin	<i>Stenella longirostris</i>	*	Pelagic and coastal, daytime in shallow bays

Source: Geraci and Lounsbury 2005

Notes: CH – Critical Habitat in the ROI

E – Federally listed as endangered

* – only protected under MMPA

APPENDIX F

NATIONAL MARINE MAMMAL STRANDING NETWORK AND DISENTANGLEMENT NETWORK MEMBERS

Marine Mammal Stranding Network

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Northeast Region			
Allied Whale, College of the Atlantic	Bar Harbor, ME	SA	N/A
Maine Department of Marine Resources	Boothbay Harbor, ME	109(h)	N/A
University of New England	Biddeford, ME	SA	Pinnipeds, Small Cetaceans
The Whale Center of New England	Gloucester, MA	Designee of NEAQ	N/A
New England Aquarium (NEAQ)	Boston, MA	SA	Pinnipeds, Small Cetaceans
The National Marine Life Center, Inc.	Buzzards Bay, MA	Designee of NEAQ	Pinnipeds
International Fund for Animal Welfare (IFAW)- Cape Cod Stranding Network	Buzzards Bay, MA	SA	N/A
Cape Cod National Seashore	Wellfleet, MA	109(h)	N/A
Mystic Aquarium	Mystic, CT	SA	Pinnipeds, Small Cetaceans
Riverhead Foundation for Marine Research	Riverhead, NY	SA	Pinnipeds, Small Cetaceans
Marine Mammal Stranding Center	Brigantine, NJ	SA	Pinnipeds
MERR Institute, Inc.	Nassau, DE	Designee of Delaware DNREC	N/A
Maryland Department of Natural Resources, Cooperative Oxford Laboratory	Oxford, MD	109(h)	N/A
National Aquarium in Baltimore	Baltimore, MD	SA	Pinnipeds, Small Cetaceans
Smithsonian Institute, National Museum of Natural History	Washington, D.C.	SA	N/A
Virginia Aquarium and Marine Science Center	Virginia Beach, VA	SA	Pinnipeds
Virginia Institute of Marine Science, College of William and Mary	Gloucester Point, VA	SA	N/A
NMFS Southeast Region			
Duke University Marine Laboratory	Beaufort, NC	Designee of UNCW	N/A
NMFS, SEFSC Beaufort Laboratory	Beaufort, NC	109(h)	N/A
NC State College of Veterinary Medicine, Center for Marine Science and Technologies	Morehead City, NC	Designee of UNCW	N/A
University of North Carolina at Wilmington (UNCW), Biological Sciences	Wilmington, NC	SA	N/A

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Southeast Region (continued)			
North Carolina Aquarium at Fort Fisher	Fort Fisher, NC	109(h)	N/A
Coastal Carolina University	Conway, SC	SA	N/A
National Ocean Service (NOS) Charleston Laboratory	Charleston, SC	109(h)	N/A
South Carolina Wildlife and Marine Resources Division	Charleston, SC	109(h)	N/A
Georgia Department of Natural Resources, Non-Game Endangered Wildlife Program	Brunswick, GA	109(h)and SA	N/A
Clearwater Marine Aquarium	Clearwater, FL	SA	Small Cetaceans
Dynamac Corporation	Kennedy Space Center, FL	SA	N/A
FWC Apalachicola National Reserve	Eastpoint, FL	109(h)	N/A
Gulf Islands National Seashore	Gulf Breeze, FL	109(h)	N/A
Gulf World Marine Park	Panama City Beach, FL	SA	Small Cetaceans
Harbor Branch Oceanographic Institute, Inc.	Fort Pierce, FL	SA	N/A
Hubbs-SeaWorld Research Institute	Orlando, FL	SA	N/A
Marine Animal Rescue Society	Miami, FL	SA	Small Cetaceans
Marine Mammal Conservancy, Inc.	Key Largo, FL	SA	Small Cetaceans
Marine Mammal Stranding Network-Southwest Region	Cape Coral, FL	SA	N/A
Mote Marine Laboratory	Sarasota, FL	SA	Small Cetaceans
NMFS, SEFSC Miami Laboratory	Miami, FL	109(h)	N/A
NMFS, SEFSC Panama City Laboratory	Panama City, FL	109(h)	N/A
SeaWorld Orlando	Orlando, FL	SA	Pinnipeds
The Florida Aquarium	Tampa, FL	SA	N/A
Emerald Coast Wildlife Refuge, Inc	Destin, FL	SA	N/A
Northwest Florida Aquatic Preserves Office, FDEP	Milton, FL	109(h)	N/A
Marterra Foundation, Inc.	Mobile, AL	SA	N/A
Gulf Islands National Seashore	Ocean Springs, MS	109(h)	N/A
Institute for Marine Mammal Studies	Gulfport, MS	SA	Small Cetaceans
Mississippi Department of Marine Resources	Biloxi, MS	109(h)	N/A
NMFS, SEFSC Pascagoula Laboratory	Pascagoula, MS	109(h)	N/A
Louisiana Marine Mammal Stranding Network- Audubon Aquarium of the Americas	New Orleans, LA	SA	Small Cetaceans
Louisiana Department of Wildlife and Fisheries	Lake Charles, LA	109(h)	N/A
Aransas National Wildlife Refuge	Austwell, TX	109(h)	N/A
NMFS, SEFSC Galveston Laboratory	Galveston, TX	109(h)	N/A
Texas Marine Mammal Stranding Network (TMMSN)	Galveston, TX Corpus Christi, TX	SA	Small Cetaceans

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Southeast Region (continued)			
Texas State Aquarium	Corpus Christi, TX	Designee of TMMSN	Small Cetaceans
Texas Parks and Wildlife	Austin, TX	109(h)	N/A
Virgin Islands Division of Fish and Wildlife	Frederiksted, VI	109(h)	N/A
Puerto Rico Department of Natural and Environmental Resources (PRDNER)	Santurce, PR	109(h)/SA	N/A
Mayaguez Zoo	Mayaguez, PR	Designee of PRDNER	Pinnipeds
NMFS Southwest Region			
Northcoast Marine Mammal Center	Crescent City, CA	SA	Pinnipeds, Small Cetaceans
The Marine Mammal Center	Sausalito, CA	SA	Pinnipeds, Small Cetaceans
Long Marine Laboratory, University of California at Santa Cruz	Santa Cruz, CA	SA	Small Cetaceans
Long Beach Animal Control	Long Beach, CA	109(h)	N/A
Santa Barbara Marine Mammal Center	Santa Barbara, CA	SA	Pinnipeds, Small Cetaceans
Santa Barbara Museum of Natural History	Santa Barbara, CA	SA	N/A
Fort MacArthur Marine Mammal Care Center	San Pedro, CA	SA	Pinnipeds, Small Cetaceans
Pacific Marine Mammal Center	Laguna Beach, CA	SA	Pinnipeds, Small Cetaceans
SeaWorld San Diego	San Diego, CA	SA	Pinnipeds, Small Cetaceans
Los Angeles County Museum of Natural History	Los Angeles, CA	SA	N/A
Moss Landing Marine Laboratories	Moss Landing, CA	SA	N/A
NMFS Southwest Fisheries Science Center	La Jolla, CA	109(h)	N/A
California Academy of Sciences, Department of Ornithology & Mammalogy	San Francisco, CA	SA	N/A
Humboldt State University, Vertebrate Museum	Arcata, CA	SA	N/A
California Wildlife Center	Malibu, CA	109(h)	N/A
Marine Animal Rescue	Topanga, CA	109(h)	N/A
Channel Islands Marine and Wildlife Institute	Goleta, CA	SA	Pinnipeds, Small Cetaceans
Los Angeles County Lifeguards	Los Angeles County, CA	109(h)	N/A
Wildrescue	Malibu, CA	109(h)	N/A
NMFS Northwest Region			
Cascadia Research Collective	Olympia, WA	Contingency Plan	N/A
Central Puget Sound Marine Mammal Stranding Network	Whidbey Island, WA	SA	N/A
Dungeness National Wildlife Refuge	Port Angeles, WA	109(h)	N/A

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Northwest Region (continued)			
Edmonds Animal Control	Edmonds, WA	109(h)	N/A
Makah Tribe	Neah Bay, WA	Contingency Plan/Designee (NMFS, NWR)	N/A
NMFS, Northwest Regional Office	Seattle, WA	109(h)	N/A
NMFS, Northwest Fisheries Science Center	Seattle, WA	109(h)	N/A
NMFS, National Marine Mammal Laboratory	Seattle, WA	109(h)	N/A
Olympic Coast National Marine Sanctuary	Port Angeles, WA	109(h)	N/A
Olympic Coast National Park	Port Angeles, WA	109(h)	N/A
Point Defiance Zoo and Aquarium	Tacoma, WA	Contingency Plan	Inactive
East Jefferson County Marine Mammal Stranding Network	Port Townsend, WA	SA	N/A
Progressive Animal Welfare Society	Lynwood, WA	Contingency Plan	Pinnipeds
Killer Whale Tales	Seattle, WA	Designee (NMFS, NWR)	N/A
Seattle Animal Control	Seattle, WA	109(h)	N/A
Seattle Parks and Recreation	Seattle, WA	109(h)	N/A
San Juan County Marine Mammal Stranding Network	Friday Harbor, WA	Contingency Plan	N/A
The Whale Museum	Friday Harbor, WA	SA	N/A
Washington Department of Fish and Wildlife	Olympia, WA	109(h)	N/A
Whatcom County Marine Mammal Stranding Network	Bellingham, WA	Designee (NMFS, NWR)	N/A
Wolf Hollow Wildlife Rehabilitation Center	Friday Harbor, WA	Contingency Plan	Pinnipeds
Wolftown Rehabilitation	Vashon Island, WA	Designee (NMFS, NWR)	N/A
Free Flight Wildlife Rehabilitation Center	Bandon, OR	Designee (NMFS, NWR)	Pinnipeds
Oregon State Police	Statewide	109(h)	N/A
Oregon Coast Aquarium	Newport, OR	Designee (NMFS, NWR)	Inactive
Oregon Department of Fish and Wildlife	Salem, OR	109(h)	N/A
Oregon Institute of Marine Biology	Charleston, OR	SA	N/A
Oregon State University	Newport, OR	SA	N/A
Portland State University	Portland, OR	SA	N/A

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Alaska Region			
Alaska SeaLife Center	Seward, AK	SA	Pinnipeds, Small Cetaceans
Aleut Community of St. Paul Island Tribal Government	St. Paul Island, AK	SA	N/A
Alaska Sea Otter and Stellar Sea Lion Commission	Anchorage, AK	SA	N/A
Alaska Whale Foundation	Petersburg, AK	SA	N/A
University of Alaska Fairbanks-Museum of the North	Fairbanks, AK	SA	N/A
Andy Aderman, Togiak National Wildlife Refuge	Dillingham, AK	109(h)	N/A
Kimberly Beckman, Alaska Department of Fish and Game	Fairbanks, AK	109(h)	N/A
Jamie King, Alaska Department of Fish and Game	Haines, AK	109(h)	N/A
Reid Brewer, University of Alaska, Fairbanks/Sea Grant	Dutch Harbor, AK	Affiliate with Kate Wynne's SA	N/A
Dr. Kathy Burek	Eagle River, AK	Affiliate w/ASLC's SA	N/A
Gary Frietag, Southern Southeast Regional Aquaculture Association	Ketchikan, AK	SA	N/A
Chris Gabriele, National Park Service, Glacier Bay National Park	Glacier Bay, AK	109(h)/SA	N/A
Eileen Henniger, Yakutat Tribe	Yakutat, AK	109(h)	N/A
Lauri Jemison, Alaska Department of Fish and Game	Juneau, AK	109(h)	N/A
North Gulf Oceanic Society	Homer, AK	SA	N/A
Lori Quakenbush, Alaska Department of Fish and Game	Fairbanks, AK	109(h)	N/A
Gay Sheffield, Alaska Department of Fish and Game	Nome, AK	109(h)	N/A
Jan Straley, University of Alaska Southeast, Sitka Campus	Sitka, AK	SA	N/A
Dr. Rachel Dziuba, Bridge Veterinary Services	Juneau, AK	SA	N/A
Jamie Womble, National Park Service, Glacier Bay National Park	Juneau, AK Glacier Bay, AK	109(h)	N/A
Kate Wynne, University of Alaska, Fairbanks/Sea Grant	Kodiak, AK	SA	N/A
NMFS Pacific Islands Region			
American Samoa Department of Marine and Wildlife Resources	Pago Pago, AS	SA/109(h)	N/A
Guam Department of Agriculture	Hagatana, GU	SA/109(h)	N/A
Hawaii Pacific University (HPU)	Honolulu, HI	SA	N/A

Organization/Individual	Location	Authority	Rehabilitation (NMFS Species)
NMFS Pacific Islands Region (continued)			
Hawaiian Islands Humpback Whale National Marine Sanctuary	Kihei, HI	109(h)	N/A
Maui Marine Mammal Response Program	Kihei, HI	TBD	N/A
Hawaii State Division of Aquatic Resources	Honolulu, HI	109(h)	N/A
Northern Mariana College	Saipan, MP	SA/109(h)	N/A
University of Hawaii, Hilo	Hilo, HI	Designee of HPU	N/A
NMFS Pacific Islands Fisheries Science Center	Honolulu, HI	109(h)	Pinnipeds

Marine Mammal Disentanglement Network

Individual	Organization	Location	Responder Level
NMFS Northeast Region			
Charles Mayo	Provincetown Center for Coastal Studies (PCCS)	Provincetown, MA	5
Scott Landry	PCCS	Provincetown, MA	5
David Morin	NMFS, Northeast Regional Office, Protected Resources Division	Gloucester, MA	5
Chris Slay	New England Aquarium (NEAQ)	Boston, MA	5
Jamison Smith	NMFS, Northeast Regional Office, Protected Resources Division	Gloucester, MA	4
Mackie Greene	Campobello Whale Rescue Team	Campobello Island, New Brunswick, Canada	4
Brian Sharp	PCCS	Provincetown, MA	4
Sean Todd	Allied Whale, College of the Atlantic	Bar Harbor, ME	3
Michael Neelon	N/A	ME	3
Tom Fernald	N/A	ME	3
Jooke Robbins	PCCS	Provincetown, MA	3
Moira Brown	NEAQ	Boston, MA	3
Lisa Conger	NEAQ	Boston, MA	3
Amy Knowlton	NEAQ	Boston, MA	3
Monica Zani	NEAQ	Boston, MA	3
Scott Kraus	NEAQ	Boston, MA	3
Phil Hamilton	NEAQ	Boston, MA	3
Steve Brown	International Fund for Animal Welfare (IFAW)	Onboard IFAW's Song of the Whale	3
Timothy Cole	NMFS, Northeast Fisheries Science Center	Woods Hole, MA	3
Fred Wenzel	NMFS, Northeast Fisheries Science Center	Woods Hole, MA	3
Lisa Sette	PCCS	Provincetown, MA	3
Glenn Salvador	NMFS, Northeast Regional Office	Belle Haven, VA	3
Mark Swingle	Virginia Aquarium and Marine Science Center	Virginia Beach, VA	3
Susan Barco	Virginia Aquarium and Marine Science Center	Virginia Beach, VA	3
Jeff Thompson	Virginia Aquarium and Marine Science Center	Virginia Beach, VA	3
NMFS Southeast Region			
Clay George	Georgia Department of Natural Resources (GADNR)	Brunswick, GA	4
Mark Dodd	GADNR	Brunswick, GA	4
William McLellan	Biological Sciences and Center for Marine Science, University of North Carolina, Wilmington	Wilmington, NC	3
Andrew Read	Duke University Marine Laboratory	Beaufort, NC	3
Andrew Westgate	Duke University Marine Laboratory	Beaufort, NC	3

Individual	Organization	Location	Responder Level
NMFS Southeast Region (continued)			
Keith Rittmaster	North Carolina Maritime Museum	Beaufort, NC	3
Adam MacKinnon	GADNR	Brunswick, GA	3
Brad Winn	GADNR	Brunswick, GA	3
Kate Sparks	GADNR	Brunswick, GA	3
Tom Pitchford	Florida Fish and Wildlife Conservation Commission (FWC)	Jacksonville, FL	3
Andy Garrett	FWC	Jacksonville, FL	3
Barb Zoodsma	NMFS, Southeast Regional Office, Protected Resources Division	Fernandina Beach, FL	3
Anthony Martinez	NMFS, Southeast Fisheries Science Center	Miami, FL	3
Alicia Windham-Reid	U.S. Geological Survey	Gainesville, FL	3
Bill Foster	N/A	NC	3
John Pieno	N/A	NC	3
Lou Browning	N/A	NC	3
NMFS Alaska Region			
Kate Wynne	University of Alaska Fairbanks /Sea Grant	Kodiak, AK	4
Chris Gabriele	Glacier Bay National Park	Tenakee Springs, AK	4
Jan Straley	University of Alaska Southeast	Sitka, AK	4
Fred Sharpe	Alaska Whale Foundation	Petersburg, AK	4
Pieter Folkens	Alaska Whale Foundation	Petersburg, AK	3
Sean Hanser	Alaska Whale Foundation	Petersburg, AK	3
Sara Graef	Alaska Whale Foundation	Petersburg, AK	3
Bree Witteveen	University of Alaska Fairbanks /Sea Grant	Kodiak, AK	3
Steve Lewis	N/A	Tenakee Springs, AK	3
Dan Vos	N/A	Anchorage, AK	3
Bob Foy	University of Alaska Fairbanks	Kodiak, AK	3
Mark Witteveen	Alaska Department of Fish and Game	Kodiak, AK	3
Jim Wisher	NMFS Office of Law Enforcement	Homer, AK	3
Tim Lebling	Alaska Sea Life Center	Seward, AK	3
Janet Neilson	Glacier Bay National Park		3
Don Holmes	Petersburg Marine Mammal Center	Petersburg, AK	3
Barry Bracken	Petersburg Marine Mammal Center	Petersburg, AK	3
Dennis Thaute	NMFS Office of Law Enforcement	Homer, AK	3
Aleria Jensen	NMFS Alaska Regional Office, Protected Resources Division	Juneau, AK	3
Kaja Brix	NMFS Alaska Regional Office, Protected Resources Division	Juneau, AK	3
NMFS Pacific Islands Region			
Edward Lyman	NOS, Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS)	Kihei, Maui, HI	5
David Mattila	NOS, HIHWNMS	Kihei, Maui, HI	5
Joe Arcenaux	NOAA, Pacific Islands Regional Office	Oahu, HI	3

Individual	Organization	Location	Responder Level
NMFS Pacific Islands Region (continued)			
Bart Bottoms	Veterinarian	HI	3
Brent Carman	Hawaii Department of Land and Natural Resources (DLNR)	Hawaii, HI	3
Marie Chapla-Hill	NOAA, Pacific Islands Fisheries Science Center	Oahu, HI	3
Mark Deakos	Hawaii Marine Mammal Research	Maui, HI	3
Skippy Hau	Hawaii DLNR	Maui, HI	3
Alistair Hebard	NOS, HIHWNMS	Kihei, Maui, HI	3
Ben LaCour	NOS, HIHWNMS	Kihei, Maui, HI	3
Greg Levine	N/A	Oahu, HI	3
Allan Ligon	NOS, HIHWNMS	Maui, HI	3
Charles Littnan	NOAA, Pacific Islands Fisheries Science Center	Oahu, HI	3
John Mitchell	Hawaii DLNR	Oahu, HI	3
David Nichols	Hawaii DLNR	Oahu, HI	3
Adam Pack	University of Hawaii, Hilo	Hawaii, HI	3
Rod Quigley	MOC	HI	3
Susan Richards	Hawaiian Marine Mammal Consortium	Hawaii, HI	3
David Schofield	NMFS, Pacific Islands Regional Office	Oahu, HI	3
Russell Sparks	Hawaii DLNR	Maui, HI	3
Kosta Stamoulis	Hawaii DLNR	Maui, HI	3
Grant Thompson	KIRC	HI	3
Jason Turner	University of Hawaii, Hilo	Hawaii, HI	3
Vaughan Tyndzik	Hawaii DLNR	Kauai, HI	3
Justin Viezebicke	NOS, HIHWNMS	Hawaii, HI	3
Jeff Walters	Hawaii DLNR	Oahu, HI	3
Paul Wong	NOS, HIHWNMS	Oahu, HI	3
Suzanne Yin	Hawaiian Marine Mammal Consortium	Hawaii, HI	3
Chad Yoshinago	NOAA, Pacific Islands Fisheries Science Center	Oahu, HI	3
NMFS Southwest Region			
*The NMFS Southwest Region Disentanglement Network is currently in development, and Responder Levels have not been designated. Below are the current Disentanglement Team Leads.			
David Casper	Long Marine Laboratory, University of California, Santa Cruz	Santa Cruz, CA	N/A
Pieter Folkens	Alaska Whale Foundation	Benecia, CA	N/A
Dean Gomersall	Pacific Marine Mammal Center	Laguna Beach, CA	N/A
Jim Harvey	Moss Landing Marine Laboratories	Moss Landing, CA	N/A
Peter Howorth	SBMMC Santa Barbara Marine Mammal Center	Santa Barbara, CA	N/A
Peter Wallerstein	Marine Animal Rescue	Topanga, CA	N/A
Keith Yip	SeaWorld San Diego	San Diego, CA	N/A
NMFS Northwest Region			
*The NMFS Northwest Region Disentanglement Network is currently in development, and Responder Levels have not been designated.			

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