

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]



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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
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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.



POLICIES AND BEST PRACTICES

MARINE MAMMAL STRANDING RESPONSE, REHABILITATION, AND RELEASE

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

Prepared by
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NOAA National Marine Fisheries Service
Marine Mammal Health and Stranding Response Program

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.

