



LETTER OF AUTHORIZATION

The National Marine Fisheries Service's Southwest Fisheries Science Center (SWFSC) is hereby authorized under section 101(a)(5)(A) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1371(a)(5)(A)) to take marine mammals incidental to fishery and ecosystem research activities in the Antarctic Marine Living Resources Ecosystem (AMLR), subject to the provisions of the MMPA and the Regulations Governing Taking of Marine Mammals Incidental to Southwest Fisheries Science Center Fisheries Research (50 CFR Part 219, Subpart A) (Regulations).

1. This Letter of Authorization (LOA) is valid through January 14, 2026.
2. This LOA is valid only for take incidental to the specified research survey program activities in the AMLR and described in the preamble to the Regulations.
3. General Conditions
 - (a) A copy of this LOA must be in the possession of SWFSC, its designees, and personnel operating under the authority of this LOA.
 - (b) The taking, by Level B harassment only, is limited to the species and numbers listed in Table 1 (attached).
 - (c) The taking by injury (Level A harassment), serious injury, or death of any of the species listed in Table 1 of the Authorization or any taking of any other species of marine mammal is prohibited and may result in the modification, suspension, or revocation of this LOA.
 - (d) SWFSC must take all necessary measures to coordinate and communicate in advance of each specific survey with the National Oceanic and Atmospheric Administration's (NOAA) Office of Marine and Aviation Operations (OMAO) or other relevant parties on non-NOAA platforms to ensure that all mitigation measures and monitoring requirements described herein, as well as the specific manner of implementation and relevant event-contingent decision-making processes, are clearly understood and agreed upon.
 - (e) SWFSC must coordinate and conduct briefings at the outset of each survey and as necessary between ship's crew (Commanding Officer/master or designee(s), as appropriate) and scientific party in order to explain responsibilities, communication procedures, marine mammal monitoring protocol, and operational procedures.
 - (f) SWFSC must coordinate as necessary on a daily basis during survey cruises with OMAO personnel or other relevant personnel on non-NOAA platforms to ensure that requirements, procedures, and decision-making processes are understood and



properly implemented.

4. Mitigation Measures

The holder of this Authorization is required to implement the following mitigation measures:

- (a) When deploying any type of sampling gear at sea, SWFSC must at all times monitor for any unusual circumstances that may arise at a sampling site and use best professional judgment to avoid any potential risks to marine mammals during use of all research equipment.
- (b) SWFSC must implement handling and/or disentanglement protocols as specified in guidance provided to SWFSC survey personnel.
- (c) Trawl survey protocols:
 - (i) SWFSC must conduct trawl operations as soon as is practicable upon arrival at the sampling station.

4. Monitoring

The holder of this Authorization is required to implement the following monitoring requirements:

- (a) SWFSC must designate a compliance coordinator who shall be responsible for ensuring compliance with all requirements of this LOA.
- (b) Visual monitoring:
 - (i) Marine mammal watches must be conducted by watch-standers (those navigating the vessel and/or other crew) at all times when the vessel is being operated.
 - (ii) SWFSC must monitor any potential disturbance of pinnipeds on ice, paying particular attention to the distance at which different species of pinniped are disturbed. Disturbance must be recorded according to a three-point scale representing increasing seal response to disturbance (Table 2).
- (c) Training:
 - (i) SWFSC must conduct annual training for all chief scientists and other personnel who may be responsible for conducting dedicated marine mammal visual observations to explain mitigation measures and monitoring and reporting requirements, mitigation and monitoring protocols, marine mammal identification, completion of datasheets, and

use of equipment. SWFSC may determine the agenda for these trainings.

- (ii) SWFSC must also dedicate a portion of training to discussion of best professional judgment, including use in any incidents of marine mammal interaction and instructive examples where use of best professional judgment was determined to be successful or unsuccessful.
- (d) Handling procedures and data collection:
- (i) SWFSC must develop and implement standardized marine mammal handling, disentanglement, and data collection procedures. These standard procedures will be subject to approval by NMFS' Office of Protected Resources (OPR).
 - (ii) When practicable, for any marine mammal interaction involving the release of a live animal, SWFSC shall collect necessary data to facilitate a serious injury determination.
 - (iii) SWFSC must provide its relevant personnel with standard guidance and training regarding handling of marine mammals, including how to identify different species, bring an individual aboard a vessel, assess the level of consciousness, remove fishing gear, return an individual to water, and log activities pertaining to the interaction.
 - (iv) SWFSC must record such data on standardized forms, which will be subject to approval by OPR. SWFSC must also answer a standard series of supplemental questions regarding the details of any marine mammal interaction.

5. Reporting

The holder of this Authorization is required to report as follows:

- (a) SWFSC must report all incidents of marine mammal interaction to NMFS's Protected Species Incidental Take database within 48 hours of occurrence and must provide supplemental information to OPR upon request. Information related to marine mammal interaction (animal captured or entangled in research gear) must include details of survey effort, full descriptions of any observations of the animals, the context (vessel and conditions), decisions made, and rationale for decisions made in vessel and gear handling.
- (b) Annual reporting:
 - (i) SWFSC must submit an annual summary report to OPR not later than 90 days following the end of a given year. SWFSC must provide a final report within 30 days following resolution of comments on the draft

report.

- (ii) These reports shall contain, at minimum, the following:
 - 1. Annual line-kilometers surveyed during which predominant active acoustic sources were used;
 - 2. Summary information regarding use of all trawl gear, including number of tows, etc.;
 - 3. Accounts of all incidents of significant marine mammal interactions, including circumstances of the event and descriptions of any mitigation procedures implemented or not implemented and why;
 - 4. Summary information related to any on-ice disturbance of pinnipeds, including raw sightings data and the event-specific total counts of animals present, counts of reactions according to a three-point scale of response severity (Table 2) and numbers of takes (differentiated by species and age class), the distance at which a pinniped is disturbed and the closest point of approach for each disturbance event;
 - 5. A written evaluation of the effectiveness of SWFSC mitigation strategies in reducing the number of marine mammal interactions with survey gear, including best professional judgment and suggestions for changes to the mitigation strategies, if any;
 - 6. Final outcome of serious injury determinations for all incidents of marine mammal interactions where the animal(s) were released alive; and
 - 7. A summary of all relevant training provided by SWFSC and any coordination with NMFS' West Coast Regional Office.

(c) Reporting injured or dead marine mammals:

- (i) In the event that personnel involved in the survey activities covered by the authorization discover an injured or dead marine mammal, SWFSC must report the incident to OPR (*PR.ITP.MonitoringReports@noaa.gov*) as soon as feasible. The report must include the following information:
 - 1. Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
 - 2. Species identification (if known) or description of the animal(s)

involved;

3. Condition of the animal(s) (including carcass condition if the animal is dead);
4. Observed behaviors of the animal(s), if alive;
5. If available, photographs or video footage of the animal(s); and
6. General circumstances under which the animal was discovered.

(ii) In the event of a ship strike of a marine mammal by any vessel involved in the activities covered by the authorization, SWFSC must report the incident to OPR as soon as feasible. The report must include the following information:

1. Time, date, and location (latitude/longitude) of the incident;
2. Species identification (if known) or description of the animal(s) involved;
3. Vessel's speed during and leading up to the incident;
4. Vessel's course/heading and what operations were being conducted (if applicable);
5. Status of all sound sources in use;
6. Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike;
7. Environmental conditions (*e.g.*, wind speed and direction, Beaufort sea state, cloud cover, visibility) immediately preceding the strike;
8. Estimated size and length of animal that was struck;
9. Description of the behavior of the marine mammal immediately preceding and following the strike;
10. If available, description of the presence and behavior of any other marine mammals immediately preceding the strike;
11. Estimated fate of the animal (*e.g.*, dead, injured but alive, injured and moving, blood or tissue observed in the water, status unknown, disappeared); and

12. To the extent practicable, photographs or video footage of the animal(s).
6. This Authorization may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein or contained in the Regulations, or if OPR determines the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

Donna S. Wieting
Director,
Office of Protected Resources,
National Marine Fisheries Service.

Date

Table 1. Authorized take numbers, by species

| Species | Authorized take ¹ |
|---|------------------------------|
| Humpback whale (<i>Megaptera novaeangliae</i>) | 25 |
| Antarctic minke whale (<i>Balaenoptera bonaerensis</i>) | 5 |
| Fin whale (<i>Balaenoptera physalus</i>) | 57 |
| Sperm whale (<i>Physeter macrocephalus</i>) | 5 |
| Arnoux' beaked whale (<i>Berardius arnuxii</i>) | 2 |
| Southern bottlenose whale (<i>Hyperoodon planifrons</i>) | 10 |
| Hourglass dolphin (<i>Lagenorhynchus cruciger</i>) | 10 |
| Killer whale (<i>Orcinus orca</i>) | 10 |
| Long-finned pilot whale (<i>Globicephala melas</i>) | 21 |
| Spectacled porpoise (<i>Phocoena dioptrica</i>) | 10 |
| Antarctic fur seal (<i>Arctocephalus philippii townsendi</i>) | 553 |
| Southern elephant seal (<i>Mirounga leonina</i>) | 7 |
| Weddell seal (<i>Leptonychotes weddellii</i>) | 224 |
| Crabeater seal (<i>Lobodon carcinophaga</i>) | 3,588 |
| Leopard seal (<i>Hydrurga leptonyx</i>) | 90 |

¹ These takes may be by Level B harassment only. The number represents the annual take authorization for five years.

Table 2. Pinniped Response to Disturbance.

| Level | Type of response | Definition |
|-------|------------------|--|
| 1 | Alert | Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal's body length. |
| 2 | Movement | Movements in response to the source of disturbance, ranging from short withdrawals at least twice the animal's body length to longer retreats over the beach, or if already moving a change of direction of greater than 90 degrees. |
| 3 | Flush | All retreats (flushes) to the water. |