



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 California Current Ecosystem, 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 CCE 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 is limited to the species and numbers listed in Table 1 (attached).
 - (c) Taking of these species that exceeds the numbers and/or intensity indicated in Table 1 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.
 - (ii) SWFSC must initiate marine mammal watches (visual observation) at least 15 minutes prior to beginning of net deployment (or for the amount of time to travel between stations if less than 15 minutes) but must also conduct monitoring during any pre-set activities including CTD casts and plankton or bongo net hauls.
 - (iii) SWFSC must implement the move-on rule. If one or more marine mammals, with the exception of baleen whales, are observed within 1 nautical mile (nmi) of the planned sampling location during the visual observation period, SWFSC must move on to another sampling location. If, after moving on, marine mammals remain within 1 nmi, the SWFSC must move again or skip the station. SWFSC may use best professional judgment in making these decisions but may not elect to conduct trawl survey activity when marine mammals other than baleen whales remain within the 1-nmi zone.
 - (iv) SWFSC must maintain visual monitoring effort during the entire period of time that trawl gear is in the water (i.e., throughout gear deployment, fishing, and retrieval). If marine mammals are sighted before the gear is fully removed from the water, SWFSC must take the most appropriate action to avoid marine mammal interaction. SWFSC may use best professional judgment in making this decision.
 - (v) If trawling operations have been suspended because of the presence of marine mammals, SWFSC may resume trawl operations when practicable only when the animals are believed to have departed the 1 nmi area. SWFSC may use best professional judgment in making this determination.

- (vi) SWFSC must implement standard survey protocols to minimize potential for marine mammal interactions, including maximum tow durations at target depth and maximum tow distance, and shall carefully empty the trawl as quickly as possible upon retrieval. Trawl nets must be cleaned prior to deployment.
 - (vii) SWFSC must install and use a marine mammal excluder device at all times when the Nordic 264 trawl net or any other net is used for which the device is appropriate.
 - (viii) SWFSC must install and use acoustic deterrent devices whenever any midwater trawl net is used, with two to four devices placed along the footrope and/or headrope of the net. SWFSC must ensure that the devices are operating properly before deploying the net.
- (d) Longline survey protocols:
- (i) SWFSC must deploy longline gear as soon as is practicable upon arrival at the sampling station.
 - (ii) SWFSC must initiate marine mammal watches (visual observation) no less than 15 minutes (or for the duration of transit between locations, if shorter than 15 minutes) prior to both deployment and retrieval of longline gear.
 - (iii) SWFSC must implement the move-on rule. If one or more marine mammals, with the exception of groups of five or fewer California sea lions, are observed within 1 nmi of the planned sampling location during the visual observation period, SWFSC must move on to another sampling location. If, after moving on, marine mammals remain within 1 nmi, the SWFSC must move again or skip the station. SWFSC may use best professional judgment in making these decisions but may not elect to conduct pelagic longline survey activity when animals remain within the 1-nmi zone.
 - (iv) SWFSC must maintain visual monitoring effort during the entire period of gear deployment and retrieval. If marine mammals are sighted before the gear is fully deployed or retrieved, SWFSC must take the most appropriate action to avoid marine mammal interaction. SWFSC may use best professional judgment in making this decision.
 - (v) If deployment or retrieval operations have been suspended because of the presence of marine mammals, SWFSC may resume such operations when practicable only when the animals are believed to have departed the 1 nmi area. SWFSC may use best professional judgment in making this decision.
 - (vi) SWFSC must implement standard survey protocols, including maximum

soak durations and a prohibition on chumming.

- (e) Purse seine protocols:
 - (i) SWFSC must conduct purse seine operations as soon as is practicable upon arrival at the sampling station.
 - (ii) SWFSC must conduct marine mammal watches (visual observation) prior to beginning of net deployment.
 - (iii) SWFSC must implement the move-on rule. If one or more killer whales or small cetaceans (i.e., dolphin or porpoise) or five or more pinnipeds are observed within 500 m of the planned sampling location before setting the purse seine gear, SWFSC must either remain onsite or move on to another sampling location. If remaining onsite, the set must be delayed. If the animals depart or appear to no longer be at risk of interacting with the vessel or gear, a further observation period must be conducted. If no further observations are made or the animals still do not appear to be at risk of interaction, then the set may be made. If the vessel is moved to a different area, the move-on rule mitigation protocol would begin anew. If, after moving on, marine mammals remain at risk of interaction, the SWFSC must move again or skip the station. Marine mammals that are sighted further than 500 m from the vessel must be monitored to determine their position and movement in relation to the vessel to determine whether the move-on rule mitigation protocol should be implemented. SWFSC may use best professional judgment in making these decisions.
 - (iv) SWFSC must maintain visual monitoring effort during the entire period of time that purse seine gear is in the water (i.e., throughout gear deployment, fishing, and retrieval). If marine mammals are sighted before the gear is fully removed from the water, SWFSC must take the most appropriate action to avoid marine mammal interaction. SWFSC may use best professional judgment in making this decision.
 - (v) If purse seine operations have been suspended because of the presence of marine mammals, SWFSC may resume seine operations when practicable only when the animals are believed to have departed the area. SWFSC may use best professional judgment in making this determination.
 - (vi) If any cetaceans are observed in a purse seine net, SWFSC must immediately open the net and free the animals.

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 visual monitoring must occur prior to deployment of trawl, hook and line, and purse seine gear, respectively; throughout deployment of gear and active fishing of research gears (not including longline soak time); prior to retrieval of longline gear; and throughout retrieval of all research gear.
 - (ii) 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.
- (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.
 - (iii) SWFSC must coordinate with NMFS' Northwest Fisheries Science Center regarding surveys conducted in the California Current Ecosystem, such that training and guidance related to handling procedures and data collection is consistent.
- (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 must 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 must 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 hook and line, purse seine, and trawl gear, including number of sets, hook hours, tows, etc., specific to each gear;
 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, and, for interactions due to use of pelagic longline or purse seine, whether the move-on rule was waived due to the presence of five or fewer California sea lions;

4. 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;
5. Final outcome of serious injury determinations for all incidents of marine mammal interactions where the animal(s) were released alive; and
6. A summary of all relevant training provided by SWFSC and any coordination with NWFSC or 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*) and to the appropriate West Coast Regional Stranding Coordinator 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 and to the appropriate West Coast Regional Stranding Coordinator 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			
	M/SI ¹			Level B ²
	Trawl	Purse seine	Hook and line	
Gray whale (<i>Eschrichtius robustus</i>)	-	-	-	533
Humpback whale (<i>Megaptera novaeangliae</i>)	-	-	-	23
Minke whale (<i>Balaenoptera acutorostrata</i>)	-	-	-	19
Sei whale (<i>Balaenoptera borealis</i>)	-	-	-	10
Fin whale (<i>Balaenoptera physalus</i>)	-	-	-	124
Blue whale (<i>Balaenoptera musculus</i>)	-	-	-	18
Sperm whale (<i>Physeter macrocephalus</i>)	-	-	-	96
Pygmy or dwarf sperm whale (<i>Kogia</i> spp.)	-	-	2	213
Cuvier's beaked whale (<i>Ziphius cavirostris</i>)	-	-	-	160
Baird's beaked whale (<i>Berardius bairdii</i>)	-	-	-	72
Hubbs', Blainville's, ginkgo-toothed, Perrin's, lesser, or Stejneger's beaked whales (<i>Mesoplodon</i> spp.)	-	-	-	84
Bottlenose dolphin (<i>Tursiops truncatus</i>)	CA/OR/WA stock	8	-	62
	CA coastal stock	3	-	
Striped dolphin (<i>Stenella coeruleoalba</i>)	11	1	2	883
Long-beaked common dolphin (<i>Delphinis capensis</i>)	11	1	2	1,425
Short-beaked common dolphin (<i>Delphinis delphis</i>)	11	1	2	14,430
Pacific white-sided dolphin (<i>Lagenorhynchus obliquidens</i>)	40	1	-	412
Northern right whale dolphin (<i>Lissodelphis borealis</i>)	10	1	-	614
Risso's dolphin (<i>Grampus griseus</i>)	11	1	2	209
Killer whale (<i>Orcinus orca</i>)	-	-	-	13
Short-finned pilot whale (<i>Globicephala macrorhynchus</i>)	-	-	2	30
Harbor porpoise (<i>Phocoena phocoena</i>)	5	1	-	675
Dall's porpoise (<i>Phocoenoides dalli</i>)	5	1	-	916
Guadalupe fur seal (<i>Arctocephalus philippii townsendi</i>)	-	-	-	313
Northern fur seal (<i>Callorhinus ursinus</i>)	California stock	5	-	12,595
	Pribilof Islands/ Eastern Pacific stock			
California sea lion (<i>Zalophus californianus</i>)	20	5	5	5,095
Steller sea lion (<i>Eumetopias jubatus</i>)	9	-	1	914

Harbor seal (<i>Phoca vitulina</i>)	9	5	-	1,114
Northern elephant seal (<i>Mirounga angustirostris</i>)	5	-	-	4,916
Unidentified cetacean (Family Delphinidae or Family Phocoenidae)	1	-	-	-
Unidentified pinniped	1	1	1	-

¹ These takes may be by mortality or any lesser intensity, including serious injury and Level A harassment, and are apportioned by gear type. The number represents the total authorization over five years.

² These takes may be by Level B harassment only. The number represents the annual take authorization for five years.