



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

Ruth Carmichael, Ph.D.
Senior Marine Scientist
Dauphin Island Sea Lab
101 Bienville Blvd.
Dauphin Island, Alabama 36528

Letter of Confirmation No. 18959
Expiration Date: March 15, 2020
Reports Due: June 15, annually

MAR 11 2015

Dear Dr. Carmichael:

This Letter of Confirmation (LOC) affirms that the General Authorization for Scientific Research (GA) applies to the research described in your Letter of Intent (LOI). This LOC is valid through the expiration date indicated above.

You must comply with the National Marine Fisheries Service's (NMFS) regulations governing research under the GA. A copy is attached to this LOC for your convenience.

Please contact your permit analysts – Courtney Smith or Brendan Hurley – at (301)427-8401 or via email at Courtney.Smith@noaa.gov or Brendan.Hurley@noaa.gov if you need assistance with your LOC.

Species covered by this LOC

This LOC is valid only for takes of bottlenose dolphins (*Tursiops truncatus*; Gulf of Mexico Bay, Sound and Estuarine Stocks), as listed in your LOI.

If you encounter other marine mammal species or stocks, we recommend you follow NMFS' marine mammal viewing guidelines. The guidelines can be found on-line at:
<http://www.nmfs.noaa.gov/pr/education/viewing.htm>.

Activities covered by this LOC

This LOC is valid for close approach, photo-identification, and behavioral observations within coastal and inshore waters of the Northern Gulf of Mexico, extending from Terrebonne and Timbalier Bays, Louisiana east to Pensacola and East Bays, Florida.

Reports

Annual reports and reports of exceeding Level B harassment must be submitted by one of the following:

- the online system at <https://apps.nmfs.noaa.gov>;
- an email attachment to the permit analyst for this permit; or
- a hard copy mailed or faxed to the Chief, Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427-8401; fax (301)713-0376.

See paragraphs (d)(2) and (d)(6) of the attached regulations for additional report information.



Personnel

You, as Principal Investigator, or a Co-Investigator (CI) must be on-site to supervise research activities. The following people are approved as CIs:

Steve F. Shippee, Ph.D.
Christina N. Toms
Noel Wingers

To designate personnel as CIs, please submit their names, duties, and current curriculum vitae to this office for approval. Submit requests to add or remove CIs by one of the following:

- the online system at <https://apps.nmfs.noaa.gov>;
- an email attachment to the permit analyst for this permit; or
- a hard copy mailed or faxed to the Chief, Permits Division.

Notification

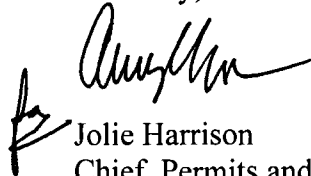
You must submit advance notifications of on site activities to the Assistant Regional Administrator for Protected Resources at:

Southeast Region, NMFS, 263 13th Ave South, St. Petersburg, FL 33701;
Phone (727)824-5312; fax (727)824-5309;
Email (*preferred*): nmfs.ser.research.notification@noaa.gov.

Provide your LOC number and a description of the planned activities, including when and where they would occur. See paragraph (d)(5) of the regulations for additional information.

Please have a copy of this LOC on site during research activities and ensure all personnel understand the attached regulations.

Sincerely,



Jolie Harrison
Chief, Permits and Conservation Division
Office of Protected Resources
(Phone: (301)427-8401)

Enclosure

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Subpart D—Special Exceptions

§ 216.45 General Authorization for Level B harassment for scientific research.

(d) *Terms and conditions.* Persons issued letters of confirmation in accordance with paragraph (c) of this section are responsible for complying with the following terms and conditions:

- (1) Activities are limited to those conducted for the purposes, by the means, in the locations, and during the periods of time described in the letter of intent and acknowledged as authorized under the General Authorization in the confirmation letter sent pursuant to paragraph (c) of this section;
- (2) Annual reports of activities conducted under the General Authorization must be submitted to the Chief, Permits Division (address listed in paragraph (b) of this section) within 90 days of completion of the last field season(s) during the calendar year or, if the research is not conducted during a defined field season, no later than 90 days after the anniversary date of the letter of confirmation issued under paragraph (c) of this section. Annual reports must include:
 - (i) A summary of research activities conducted;
 - (ii) Identification of the species and number of each species taken by Level B harassment;
 - (iii) An evaluation of the progress made in meeting the objectives of the research as described in the letter of intent; and
 - (iv) Any incidental scientific, educational, or commercial uses of photographs, videotape, and film obtained as a result of or incidental to the research and if so, names of all photographers.
- (3) Authorization to conduct research under the General Authorization is for the period(s) of time identified in the letter of intent or for a period of 5 years from the date of the letter of confirmation issued under paragraph (c) of this section, whichever is less, unless extended by the Director or modified, suspended, or revoked in accordance with paragraph (e) of this section;
- (4) Activities conducted under the General Authorization may only be conducted under the on-site supervision of the principal investigator or co-investigator(s) named in the letter of intent. All personnel involved in the conduct of activities under the General

Authorization must perform a function directly supportive of and necessary for the research being conducted, or be one of a reasonable number of support personnel included for the purpose of training or as back-up personnel;

- (5) The principal investigator must notify the appropriate Regional Director, NMFS, (Regional Director) in writing at least 2 weeks before initiation of on-site activities. The Regional Director shall consider this information in efforts to coordinate field research activities to minimize adverse impacts on marine mammals in the wild. The principal investigator must cooperate with coordination efforts by the Regional Director in this regard;
- (6) If research activities result in a taking which exceeds Level B harassment, the applicant shall:
 - (i) Report the taking within 12 hours to the Director, Office of Protected Resources, or her designee as set forth in the letter authorizing research; and
 - (ii) Temporarily discontinue for 72 hours all field research activities that resulted in the taking. During this time period, the applicant shall consult with NMFS as to the circumstances surrounding the taking and any precautions necessary to prevent future taking, and may agree to amend the research protocol, as deemed necessary by NMFS.
- (7) NMFS may review scientific research conducted pursuant to the General Authorization. If requested by NMFS, the applicant must cooperate with any such review and shall:
 - (i) Allow any employee of NOAA or any other person designated by the Director, Office of Protected Resources to observe research activities; and
 - (ii) Provide any documents or other information relating to the scientific research;
- (8) Any photographs, videotape, or film obtained during the conduct of research under the General Authorization must be identified by a statement that refers to the General Authorization or ESA permit number, and includes the file number provided by NMFS in the confirmation letter, the name of the photographer, and the date the image was taken. This statement must accompany the image(s) in all subsequent uses or sales. The annual report must note incidental scientific, educational, or commercial uses of the images, and if there are any such uses, the names of all photographers; and
- (9) Persons conducting scientific research under authority of the General Authorization may not transfer or assign any authority granted thereunder to any other person.

(e) *Suspension, revocation, or modification.*

- (1) NMFS may suspend, revoke, or modify the authority to conduct scientific research under the General Authorization if:
 - (i) The letter of intent included false information or statements of a material nature;
 - (ii) The research does not constitute bona fide scientific research;
 - (iii) Research activities result in takings of marine mammals other than by Level B harassment;
 - (iv) Research activities differ from those described in the letter of intent submitted by the applicant and letter of confirmation issued by NMFS; or
 - (v) The applicant violates any term or condition set forth in this section.
- (2) Any suspension, revocation, or modification is subject to the requirements of 15 CFR part 904.

[59 FR 50376, Oct. 3, 1994]