



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543-1026

May 16, 2013

To Whom It May Concern:

The bearer of this letter is authorized, while performing official duties for the National Marine Fisheries Service (NMFS), Northeast Fisheries Science Center (NEFSC), Fisheries Sampling Branch (FSB), to bring aboard, possess, store, and transport the following items:

- Marine mammals; marine mammal parts or samples.
- Highly migratory species (tunas, sharks, swordfish, and billfish); highly migratory species parts or samples.

Marine mammals are listed under the following authority:

50 CFR 229.7, January 10, 2006: Monitoring of incidental mortalities and serious injuries

- (b) Observer program. Pursuant to paragraph (a) of this section, the Assistant Administrator may observe Category I and II vessels as necessary. Observers may, among other tasks:
- (1) Record incidental mortality and injury, and bycatch of other non target species;
 - (2) Record numbers of marine mammals sighted; and
 - (3) Perform other scientific investigations, which may include, but are not limited to, sampling and photographing incidental mortalities and serious injuries.
- (c) Observer requirements for participants in Category I and II fisheries.
- (4)(vi) Sampling, retaining, and storing of marine mammal specimens, other protected species specimens, or target or non-target catch specimens, upon request by NMFS personnel, designated contractors, or the observer, if adequate facilities are available and if feasible;
- (5) Marine mammals or other specimens identified in paragraph (c)(4)(vi) of this section, which are readily accessible to crew members, must be brought on board the vessel and retained for the purposes of scientific research if feasible and requested by NMFS personnel, designated contractors, or the observer. Specimens so collected and retained must, upon request by NMFS personnel, designated contractors, or the observer, be retained in cold storage on board the vessel, if feasible, until removed at the request of NMFS personnel, designated contractors, or the observer, retrieved by authorized personnel of NMFS, or released by the observer for return to the ocean. These biological specimens may be transported on board the vessel during the fishing trip and back to port under this authorization.



Exempted Fishing Permit (EFP) referring to highly migratory species is listed under the following authority:

50 CFR Part 600, August 25, 2009 (effective September 24, 2009): Magnuson-Stevens Act Provisions; Experimental Permitting Process, Exempted Fishing Permits, and Scientific Research Activity

600.745 Scientific research activity, exempted fishing, and exempted educational activity.

(e) *Observers.*

NMFS-sanctioned observers or biological technicians conducting activities within NMFS-approved sea sampling and/or observer protocols are exempt from the requirement to obtain an EFP. For purposes of this section, NMFS-sanctioned observers or biological technicians include NMFS employees, NMFS observers, observers who are employees of NMFS-contracted observer providers, and observers who are employees of NMFS-permitted observer providers.

If you have any questions concerning the listed authorities, please contact Amy Van Atten, Fisheries Sampling Branch Chief (508/495-2266). Thank you for your cooperation.

Sincerely,



William A. Karp, Ph.D.
Science and Research Director

cc: J. Bullard, NER
L. Gregory, NE Division-Enforcement
R. Brown
W. Gabriel
A. Van Atten