

PRA Justification – Public Display Forms

Marine Mammal Transport Notification – Under the 1994 Amendments, a special exception permit or other NOAA Fisheries authorization is no longer required for the transport, transfer, or export of marine mammals for purposes of public display. Provided the intended recipient meets the three public display criteria specified at Section 104(c)(2) of the MMPA, a holder of captive marine mammals for public display purposes need only provide NOAA Fisheries with notification at least 15 days in advance of the proposed transport, export, sale or other transfer of custody. To ensure compliance with this statutory requirement and in conduction with ongoing efforts to reduce and streamline reporting requirements, NOAA Fisheries prepared and implements a Marine Mammal Transport Notification (MMTN). The MMTN requires the recipient to certify compliance with the three criteria at Section 104(c) of the MMPA, and attach supporting documentation of this unless this information has been previously submitted. The current holder (*i.e.*, the shipper) must identify the marine mammals to be transported and certify the accuracy of the information provided. The notification has been designed so that holders of marine mammals may also use it to notify NOAA Fisheries of exports for purposes of public display. The information provided on this form allows NOAA Fisheries to maintain an updated inventory of captive marine mammals on public display (MMPA section 104(c)(10)), to ensure that mandated criteria are met for public display (MMPA section 104(c)(2)), and to uphold requirements for exports (104 (c)(9) and 50 CFR 216.33(b)).

Marine Mammal Data Sheet – Section 104(c)(10) of the MMPA, as amended, directs the Secretary to establish and maintain an inventory of captive marine mammals and their progeny. Public display permit holders and other persons who maintain captive marine mammals must notify NOAA Fisheries within 30 days of captive births and deaths along with other inventory changes/disposition (*e.g.*, transfers, sales). NOAA Fisheries maintains an automated Permit Program Information Management System (PPIMS) database of permit tracking information, as well as inventory information for over 7000 captive marine mammals, including identification numbers, locations, species, birth dates, transfer dates, and other information. To simplify compliance with the statutory requirements and to ensure consistency of the submissions, NOAA Fisheries developed and implements a Marine Mammal Data Sheet (MMDS) to be used to report changes in a holder's inventory, such as births and deaths. The information requested on the MMDS is the items specified in Section 104(c)(10) of the MMPA and correspond directly with the database fields in the PPIMS inventory system.

Once the initial inventory information for section II of the MMDS has been provided, it does not change. Regardless of the number of transports or transfers of a specific marine mammal, the database generates and updated MMDS, which is provided to the holder to be used to report future updates. Section IV (Disposition) of the MMDS remains blank until the holder reports a transfer (sale), export, transport, death, or release of the animal. When the holder uses the MMDS, it eliminates the need for the respondent to prepare a formal letter and it ensures accurate animal identification.

Person/Holder/Facility Sheet – Periodically, NOAA Fisheries submits to each public display holder, and to others maintaining captive marine mammals, a Person/Holder/Facility Sheet (PHF Sheet) and a Marine Mammal Inventory Report-Summary (MMIRS) by holder and species listing the marine mammals in their collection. The PHF Sheet is computer-generated and contains the name and contact information of the individual responsible for and has the signatory authority for marine mammal custody decisions. The primary contact is the registrar or other person responsible for maintaining the inventory records at the facility, and with whom NOAA Fisheries corresponds with if questions or issues regarding the inventory arise. Updates to the PHF and MMIRS ensure compliance with maintaining an accurate inventory.

Inventory and other public display reports provide NOAA Fisheries with information that is frequently requested and used by other agencies (*e.g.*, for the Marine Mammal Commission Annual Report to Congress) and by the general public, and to monitor compliance with permit take requests. Facilities permitted to hold marine mammals are custodians of the animals, subject to the public interest of the citizens of the U.S.
