

MARINE MAMMAL TRANSFER/TRANSPORT NOTIFICATION

OMB No. 0648-0084; Exp.: XX/XX/XXXX

EXPORTS: You must contact NMFS directly (refer to contact information on the bottom of Page 2) regarding and any potential export to ensure that all documentation has been provided to comply with the MMPA requirements. See 'Export Notes' on Page 4.

NOTIFICATIONS must be **received at least 15 days before** the date of transfer/transport.

Waivers: If this is an emergency and your animal must be moved prior to the 15 day notification, please call us (301-427-8401) and email (NIMM.Inventory@noaa.gov) to request an emergency waiver.

Multiple transports: If you need to provide a notification that includes multiple destinations, please indicate all potential destinations on the form under receiving facility.

Planned Transfer Transport Date: _____

I. Transfer Transport Type (please check one):

- Transfer – ownership is changing (e.g., donation, sale, or purchase)
- Transport – physical movement (e.g., loan)
- Transfer and Transport

II. Transfer (custody change) details, as applicable:

Current Owner (From): _____

Receiving Owner (To): _____

III. Transport (location change) details, as applicable:

Current Facility (From): _____

Receiving Facility (To): _____

IV. Purpose of transfer/transport (please check one):

- Public Display - Permit No. (as applicable) _____
- Scientific Research (permit required) - Permit No. _____
- Enhancement (permit required) - Permit No. _____
- Department of Defense; choose one of the following: Active Retired Breeding Loan

V. Animal Identification:

NOAA ID Number

Species

Animal ID Number **or** Animal Name

MARINE MAMMAL TRANSFER/TRANSPORT NOTIFICATION (Continued)

VI. Certification

I hereby certify that this notice and any attached supplemental information is complete, true and correct to the best of my knowledge and belief. I understand that this information is submitted in compliance with the Marine Mammal Protection Act of 1972 (MMPA) (16 U.S.C. 1361 *et seq.*), and regulations (50 CFR Part 216), and that any false statement may subject me to the criminal penalties of 18 U.S.C. 1001 or to penalties provided under the MMPA of 1972, as amended.

“From” Entity:

“To” Entity:

Signature of Responsible Official

Signature of Responsible Official

Name of Responsible Official

Name of Responsible Official

Title

Title

Institution Name

Institution Name

Primary Contact (other than Responsible Official)

Primary Contact (other than Responsible Official)

Phone Number

Phone Number

Email Address

Email Address

Documentation required for this information collection is subject to the Freedom of Information Act (FOIA).

QUESTIONS? If you need assistance completing this form or would like to submit a completed form, please contact the Permits and Conservation Division via:

- a. Email (NIMM.Inventory@noaa.gov);
- b. Phone (301-427-8401);
- c. Fax (301-713-0376); or
- d. Mail (NMFS Permits and Conservation Division (F/PR1), 1315 East-West Hwy, Silver Spring, MD 20910).

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, search existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information to complete this form. Send comments regarding this burden estimate or any other aspect of this collection of information to the Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless the collection of information displays a currently valid Office of Management and Budget (OMB) Control Number.

MARINE MAMMAL TRANSFER/TRANSPORT NOTIFICATION

NOTES

The Marine Mammal Protection Act of 1972, as amended (MMPA) (16 U.S.C. 1361 *et seq.*) requires notifications of transfer and transport of living marine mammals be provided 15 days in advance. The National Marine Fisheries Service (NMFS) has jurisdiction of most marine mammals (cetaceans and pinnipeds, except walruses), and the U.S. Fish and Wildlife Service (FWS) has jurisdiction over the remaining marine mammal species (walrus, polar bear, manatee sp., dugong, marine otter or sea otter).

Notifications and verifications submitted by email, fax, or mail will be entered into the National Inventory of Marine Mammals (NIMM).

In case of emergencies, marine mammal owners and facilities must request and receive a waiver of the 15-day notification requirement. Owners and facilities have 60 days to complete planned transfers and transports. After the transport or transport occurs, they must be verified within 30 days.

Marine mammal Owners are responsible for submitting 15 day notifications for transfer and/or transport. Facilities should consult with the marine mammal Owner prior to submitting a notification for an animal on loan.

- I. This is a planned or target date ONLY. Where a specific target date cannot be identified, please select a date 15 days after the received notification date. Please note the date NMFS receives your notification is the start date of the required 15 days notification. The actual transfer/transport may occur on a different date but must not occur until after the 15-day window has passed.
- II. A “transfer” refers to a change in ownership (i.e., legal custody) of a marine mammal (e.g., sale, purchase, or donation). A “transport” refers to a change in physical location of a marine mammal or in rare cases a facility name change (e.g., associated with a sale). A notification may reference a transfer only, a transport only, or both a transfer and transport.
- III & IV. “Owner” means the person or institution with legal custody (i.e., ownership) of the marine mammal proposed to be transferred/transported. The “facility” is the physical location of the marine mammal. The “From” entity is the current owner or facility (i.e., where the animal is coming from via ownership or location change). The “To” entity is the owner or facility that is receiving custody (i.e., ownership) or possession (i.e., location) of an animal.
- V. Animal Identification: All marine mammals reported to NMFS have a NOAA ID number that will never change. Please use the NOAA ID number to identify all animals to be transferred/transported. The species and Animal ID Number and/or Animal Name assigned by owners or facilities are used to as cross-checks to verify that NOAA ID is corresponding to the correct animal. If you are proposing to transfer/transport more than four animals, please insert rows or use an attachment. Please note the attachment on the form so that we will look for it.
- VI. Purpose: Please identify the purpose of the transfer/transport. Note that owners and facilities receiving marine mammals for public display purposes must meet the following MMPA criteria:
 - Offer an education or conservation program;
 - Be open to the public on a regularly scheduled basis; and
 - Be licensed or registered by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA/APHIS) per the Animal Welfare Act (AWA).
- VII. Certification: Transfers and transports are authorized by the Responsible Official corresponding with the associated owner and/or facility involved in the transaction. The **Responsible Official** is the individual who is responsible for and who has the signatory authority for marine mammal custody decisions for or as the owner, or animal care and disposition at the facility. The **Primary Contact** is the registrar or other person responsible for maintaining the marine mammal inventory records for the owner or at the facility. The Responsible Official and the Primary Contact can be the same person.

EXPORT NOTES

Foreign owners and facilities receiving marine mammals by export from the United States must meet standards that are comparable to those applicable to persons transporting and receiving custody of marine mammals in the United States for purposes of public display, scientific research or enhancement. Exports for public display purposes must adhere to the requirements of Section 104(c)(9) of the MMPA (16 U.S.C. 1361 *et seq.*). Comparable standards for public display for the receiving foreign owner/facility include documentation of:

1. The education or conservation program comparable to one that is based on professionally recognized standards of the U.S. public display community;
2. The admission policy that reflects the facility is open to the public on a regularly scheduled basis with access that is not limited or restricted other than by charging an admission fee; and
3. A letter from the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) stating that the foreign facility concerned meets standards comparable to those applicable to U.S. licensees and registrants under the Animal Welfare Act (AWA) (7 U.S.C. 2131 *et seq.*)

APHIS Requirements: NMFS must receive an APHIS comparability determination prior to authorizing the export of marine mammals. To make this MMPA-required comparable standards determination, the foreign receiver must submit sufficient documentation to APHIS on which to base such a determination, or be inspected by an APHIS inspector or other person designated by APHIS at the expense of the importer or exporter. When documentation is submitted, the foreign government involved must certify its accuracy. Please contact Animal Care, APHIS, Riverdale, MD 20737 (301-851-3751) for guidance concerning documentation or inspection options.

In addition, the appropriate agency of the foreign government (e.g., the Convention on International Trade in Endangered Species (CITES) management authority) must submit a statement certifying that:

1. The information set forth in the application is accurate;
2. The laws and regulations of the foreign government involved allow enforcement of the terms and conditions of the authorization, and that the foreign government will enforce all terms and conditions; and
3. The foreign government involved will afford comity to any amendment, modification, suspension or revocation decision.

All three certification statements are required by NMFS to ensure compliance with MMPA requirements. APHIS requires only that the accuracy of the information be certified as a prerequisite for making a comparability determination.

Subsequent transfer/transport of marine mammals previously exported from the United States, or their progeny, between foreign holders must adhere to the above requirements. Foreign transfer/transport notifications must be submitted to NMFS through the appropriate agency of the foreign government (e.g., the Convention on International Trade in Endangered Species (CITES) management authority). A Marine Mammal Transfer/Transport Notification must be submitted at least 15 days before the transfer/transport of exported marine mammals. The foreign receiver must document that they meet comparable standards to those facilities holding marine mammals in the United States and provide certification statements from the appropriate agency of the foreign government as described above.

CITES: Import and Export of protected species, including mammals, must comply with other applicable laws including CITES. For further information on CITES permitting, please contact the U.S. Fish and Wildlife Service (USFWS), Division of Management Authority, Branch of Permits, MS: IA, 5275 Leesburg Pike, Falls Church, VA 22041-3803 (1-800-358-2104) or email managementauthority@fws.gov.

If you are exporting animals for the purposes of scientific research or enhancement purposes under an MMPA permit, please contact NMFS regarding additional requirements (refer to contact information on the bottom of Page 2).