



MYSTIC AQUARIUM

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Adrienne Thomas,
PRA Officer
NOAA/National Oceanic and Atmospheric Administration
1401 Constitution Avenue NW, Room 5128
Washington, DC 20230

Subject: OMB Control Number 0648-0084, Request for Comments on Revised Information
Collection under the Paperwork Reduction Act, 91 Fed.Reg. 11289 (March 9, 2026)

Submitted electronically to NOAA.PRA@noaa.gov

Dear Ms. Thomas,

I write to you on behalf of **Mystic Aquarium** where I serve as the Chief Zoological Officer. We appreciate the opportunity to work collaboratively with the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS) on issues pertaining to permits under the authority of the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*; MMPA), the Fur Seal Act (16 U.S.C. 1151 *et seq.*; FSA), and the Endangered Species Act (16 U.S.C. 1531 *et seq.*; ESA). We submit these comments in response to your invitation to comment under the Paperwork Reduction Act on revised forms and application instructions.

Mystic Aquarium, located in Mystic, Connecticut, is home to hundreds of species of aquatic animals. Additionally, Mystic Aquarium holds the sole letter of authorization from the National Marine Fisheries Service (NMFS) for the response, rescue, and rehabilitation of federally protected stranded marine mammals and sea turtles in Connecticut, Rhode Island, and Fisher's Island, New York, over 1,000 miles of coastline. It also operates an Animal Rescue Clinic (ARC) that allows sick, entangled or otherwise injured marine mammals and sea turtles to be rehabilitated and returned to their ocean environment.

Mystic Aquarium is, at its foundation, a research, conservation, and education institution. We are a leader in marine and environmental research, addressing critical challenges to Connecticut's marine ecosystems, and the distribution of species that inhabit or transit these waters. The Aquarium's scientific expertise is key to advancing knowledge and finding solutions to pressing environmental issues.

The NMFS has proposed revisions to specific application instructions and to ensure the MMPA, FSA, and/or ESA statutory and regulatory requirements are met. Among these proposed changes, Mystic Aquarium wishes to submit comments on:



- Removing the 5-year limit on MMPA permit and authorization durations to reflect the change established in NMFS' final rule ([89 FR 100393](#); December 12, 2024) that allows permits to be issued for longer durations;
- Revising the instructions for MMPA Letters of Intent under the General Authorization to be more consistent with the implementing regulations at 50 CFR 216.45, reducing the amount of information required from applicants when describing the purpose of the project, anticipated effects, and mitigation;
- Streamlining the instructions for importing marine mammals for public display, while ensuring NMFS can make a "humane" determination under the MMPA and consistent with the Animal Welfare Act; and
- Revising the current online application system Authorizations and Permits for Protected Species (APPS) to improve and streamline the overall user experience and functionality.

Removing the 5-year limit on MMPA permit

Mystic Aquarium supports the proposal to revise forms to recognize that NMFS in December 2024 removed the 5-year limit on the duration of MMPA permits. Changing the form and instructions carries out the substantive rulemaking decision already made by NMFS, which Mystic supports. Longer duration for Section 104 permits would reduce administrative burdens, increase efficiency, and align with longitudinal scientific studies. We note that NMFS finalized a rule in December 2024 to remove this limitation, allowing for longer-duration permits.

In developing this rule, NMFS appropriately argues that the service has been issuing marine mammal permits under section 104 for almost 50 years, and NMFS' implementing regulations have not been updated since 1996. Having issued MMPA permits since 1972, NMFS correctly stated that the Service has a better understanding of marine mammal research and the effects of that research than when the 5-year restriction was promulgated in 1996.

Based on decades of experience with the issuance of these permits and the activities conducted pursuant to them, NMFS opined that a change is warranted to allow section 104 permits with durations greater than 5 years, in certain circumstances.

Mystic Aquarium agrees, and appreciates the additional flexibility, reduction of administrative and financial burden, support for longitudinal scientific research, alignment with Endangered Species Act (ESA) standards, and the focus on high-impact projects elimination of the arbitrary 5-year limitation will allow.



Revising the instructions for MMPA Letters of Intent

Mystic Aquarium supports NMFS' proposal to revise instructions for MMPA Letters of Intent under the General Authorization (GA) to be more consistent with the implementing regulations at 50 CFR 216.45.

The current instructions require more detail than the regulatory requirements mandated by the CFR for Level B harassment scientific research. By aligning with 50 CFR 216.45, the instructions ensure that applicants are not providing information beyond what is strictly necessary.

The GA is designed to be a simpler, faster option for researchers undertaking activities with only Level B harassment potential, excluding endangered or threatened species. Reducing the information needed for project purposes, anticipated effects, and mitigation aligns with this simplified process, speeding up review times.

The Paperwork Reduction Act necessitates that the agency minimize the burden on those submitting information. Streamlining these instructions decreases the time and effort researchers spend on documentation, allowing for faster approval of standard, lower-impact studies.

The revision reduces the overly detailed narrative required for describing the project's purpose and anticipated effects, focusing instead on whether the activity meets the bona fide scientific research definition.

By focusing on the specific mitigation measures for Level B harassment, rather than requiring complex mitigation analysis geared toward higher-level harms (Level A), the instructions become more practical and targeted to the actual impact of the research.

Streamlining the instructions for importing marine mammals

Streamlining the instructions for importing marine mammals for public display, as proposed, is aimed at balancing administrative efficiency with strict animal welfare standards. The proposed changes, which Mystic Aquarium endorses, focus on modernizing the application process through improved online systems, such as the Authorizations and Permits for Protected Species (APPS) system, rather than reducing the substantive requirements for "humane" determination.

By breaking application instructions into smaller, specific text boxes in the revised APPS system, applicants can provide more targeted information. This reduces the overall information burden on applicants while still meeting necessary regulatory criteria.

Current systems (like APPS) date back to 2008 and need revisions to enhance user experience and improve information security, ensuring a faster, more reliable application process.



Streamlining allows for better alignment between application instructions and the actual, detailed requirements of the Animal Welfare Act (AWA). It is not a reduction in standards, but a clarification of instructions to ensure compliance with both the MMPA and AWA.

The revisions specifically maintain that the NMFS will still make a “humane” determination as required by Section 104 of the MMPA for public display.

Streamlined processes support the ability of accredited U.S. zoos and aquariums to obtain animals for public education, which is recognized by the MMPA as an important tool to teach the public about the importance of marine mammals.

It is important to note that the Animal and Plant Health Inspection Service (APHIS) of the USDA sets strict standards for the care and treatment of marine mammals, ensuring that any streamlined process still holds imported animals to high welfare standards.

Revising the current online application system

Revising the APPS online system is crucial to streamline application processes, reduce applicant burden, and improve data accuracy. Key arguments include updating technology to meet modern usability standards, aligning instructions with current regulations, reducing administrative delays, and enhancing functionality for complex, multi-database environments.

Modernizing the interface increases user satisfaction, accuracy, and productivity. A streamlined system reduces the time and effort required by researchers and managers to submit permit applications and reports.

Revisions aim to simplify the instructions and workflow, minimizing the reporting burden on applicants. Updated technology allows for the automation of processes, decreasing manual data entry and errors.

The current APPS database often pulls from multiple, inconsistent databases, resulting in missing or incomplete data. A revised system would better integrate data and offer better scalability.

Revisions are necessary to reflect updated regulations, such as removing the 5-year limit on Marine Mammal Protection Act (MMPA) permits and updating Endangered Species Act (ESA) requirements.

Improved Compliance and Reporting: Better functionality allows for improved tracking of "takes" (e.g., during drone operations) and provides more accurate data for reporting, ensuring better compliance with environmental regulations.

Enhanced digital tools make it easier for applicants to track their applications, fostering transparency and trust in the regulatory process.



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Conclusion

Mystic Aquarium wholeheartedly supports the proposed Agency Information Collection Activities; regarding requirements for special exception permits and authorizations to take, import, and export marine mammals, threatened and endangered species, and for maintaining a captive marine mammal inventory under section 104 of the Marine Mammal Protection Act, the Fur Seal Act, and/or Section 10(a)(1)(A) of the Endangered Species Act.

We thank you for your consideration of these comments.

Best Regards

Allison D. Tuttle, DVM, Diplomate ACZM
Chief Zoological Officer, Mystic Aquarium

The Mission of Mystic Aquarium is to

PROTECT AQUATIC LIFE AND EMPOWER COMMUNITIES TO SAVE OUR OCEANS