National Marine Fisheries Service
Endangered Species and Marine Mammal Parts Permit Application for Scientific Research

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Introduction

This application is for research involving the collection, receipt, import, and export of parts from protected species under the Marine Mammal Protection Act, the Fur Seal Act, and the Endangered Species Act.

For marine mammals, this means parts collected after December 21, 1972. For ESA-listed species, this means parts collected after December 28, 1973, or the date the species was added to the ESA.

This permit is for:

- Receipt, import, or export of protected species parts or samples.
- Receipt or collection of parts from U.S. subsistence-hunted marine mammals.
- Development and use of cell lines derived from protected species.
- Salvage of dead ESA-listed species (e.g., listed sturgeon or sawfish).

This permit is **not** for:

- Collecting samples from live animals. You may need a scientific research permit.
- Collecting or receiving samples from dead or live stranded marine mammals in the United States (this requires a separate authorization, contact your local NMFS stranding coordinator for authorization).
- Receiving samples from within the United States when another authorization is in place.
- Parts that qualify for a Letter of Determination including:
  - Marine mammal parts taken before the enactment of the MMPA (December 21, 1972). These parts are considered **Pre-Act**;
  - Endangered species parts that are 100 years old or older. These parts are considered **Antique**; and
  - Endangered species parts that have been held in a “controlled environment” since December 28, 1973, or the date the species was added to the ESA. These parts are considered **Pre-listed**.
- Protected species parts under the jurisdiction of the U.S. Fish and Wildlife Service.
- Obtaining a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permit.

Some marine mammal parts are not regulated and do not need any MMPA or ESA authorization, provided that collection does not involve approaching or the taking of a living marine mammal in the wild. These include:

- Urine.
- Feces.
- Synthetic or replicated samples of DNA, RNA, or proteins without any of the original source part remaining.
- Vomit or stomach contents. Please note:
  - Ambergris is a regulated part.
  - Stomach contents that contain protected species parts are regulated. For example if a whale has eaten an ESA-listed sea lion, those stomach contents are marine mammal parts and are regulated.

The following parts may **not** be received or imported into the United States:

- Animals deliberately killed for the express purposes of providing samples.
- Animals taken illegally in the country of origin.
- Marine mammals taken in any high seas driftnet fishery after December 31, 1992.
- Marine mammals taken during whaling activities not approved by the International Whaling Commission (IWC).
- Marine mammals taken during whaling activities opposed by the United States.
- Marine mammals taken in a directed cetacean fishery opposed by the United States, including Japanese "drive fisheries."

Need help or have questions?

Visit our scientific research permit web page, see Additional Information, or contact us at nmfs.pr1.apps@noaa.gov.

When filling out your application:

- Your application must be a stand-alone document, readable to a layperson.
- If you do not follow these instructions, your application will be returned.
- You will need to enter this information in our online permit system APPS[1]

Entering your information into APPS:
• **Save your application every 30 minutes or you will lose information!** • Consider using these instructions as a template to draft your application in Word and then cut and paste into APPS. • To save any information you must click the "Save" button. Once the application has been initialized you will see additional sections. Your application will remain in draft mode until you submit.

Application Instructions

Project Information

File Number: This number is generated by APPS and cannot be changed. To facilitate processing, reference this File No. in correspondence with our office.

Project Title: Provide a concise title that includes activities, species (or taxa if multiple species), location, and purpose of the filming. For example:

- *Receipt, import, and export of marine mammal parts to study the impact of emerging infectious diseases on marine mammal health.*
- *Collection and receipt of parts from subsistence-hunted pinnipeds in the United States for genetic and contaminant analysis.*
- *Salvage of dead sturgeon and sawfish for genetic identification and opportunistic research.*

Previous Federal or State Permit #: If applicable, enter your most recent and closely related NMFS permit number. Otherwise leave blank.

[1]We are in the process of revising APPS and this link will be updated when the new system is available.

Permits Requested: A permit type will be listed based on your answers in the APPS PAG. If the option is incorrect, contact us at nmfs.pr1.apps@noaa.gov.

Where Will the Activities Occur? One or more general locations will be listed based on your answers in the APPS pre-application guide.

Research Timeframe: Enter the desired start and end dates of the entire project in the following format: MM/DD/YYYY. See permit web page for details about when to apply.

Duration Justification: Justify your requested permit duration. The duration should be reasonable in scale, based on your objectives, study design, and available resources.

Sampling Season/Project Duration: Describe the frequency of sample collection, import, export, or receipt. If your project is ongoing and you will be receiving samples opportunistically, please indicate when your research began and when you expect your research to conclude.

Abstract: A short summary that must include:

- Purpose of the research.
- Target species (common names). If you are requesting samples from a large number of species, you can list taxa instead of all species. For example: *six species of cetaceans and eight species of pinnipeds*.
- Proposed activities (e.g., import and export of samples and source(s) of samples).
- Number of animals from which samples will be collected, imported, exported, or received, by species or taxa annually.
- Locations (countries) from which samples will be imported or to where they will be exported.

Project Purpose

1. Discuss the **need for the research and your research objectives or hypotheses.** If your institution is a repository, please describe previous and on-going areas of research that your collection supports and how researchers receive access to your collection.
2. Explain how your proposed research is *bona fide*, including how likely the results of your research are likely to: 1) be accepted for publication in a refereed scientific journal; 2) contribute to the basic knowledge of the species biology or ecology (Note: This includes, for example, marine mammal parts in a properly curated, professionally accredited scientific collection); or 3) identify, evaluate, or resolve conservation problems.
3. Briefly summarize **published findings** related to your research.
   - If you previously held or worked under a research permit, use literature citations from that to discuss how you previously met your objectives; and/or
   - Use other published literature on the subject.
4. Describe how your proposed study is different from, builds upon, or duplicates past research.
5. For **ESA-listed and MMPA-depleted** species, you must also:

a. Discuss why your project must involve ESA-listed or MMPA-depleted species parts.
b. Discuss how your project will:
    - Contribute to fulfilling a research need or the objectives identified in the species' recovery or conservation plan or if no plan exists, a research need or objective identified in the relevant stock assessments;
    - Contribute significantly to understanding the basic biology or ecology of the species;
    - Contribute significantly to identifying, evaluating, or resolving conservation problems; or
    - Contribute significantly to fulfilling a critically important research need.

6. **Take Number Rationale**: Explain how you determined your sample size (i.e., the number of animals) and why they are needed to meet the objectives. Where possible, include a power analysis or other sample size estimation to show whether the sample size is sufficient to provide statistically significant or otherwise robust results appropriate for your study.

Project Description

1. **Identify your target species** (common names). If you are requesting samples from all species in a taxa group, indicate so. You can use "unidentified cetacean," "unidentified pinniped," or "all ESA-listed sawfish."
2. List the **type of samples** (e.g., blood, skin, whole carcasses) and indicate whether you will be isolating constituent elements of the tissues such as nucleic acids or other constituent elements, or developing/maintaining cell lines.
   Note: If you are only working with urine, feces, stomach contents (not containing protected species prey parts), or synthetic or replicated samples without any of the original source part remaining (e.g. replicated DNA or RNA; synthetic proteins), a permit is **not** needed provided no animals are harassed during sample collection.
3. List the **sources of your samples and all proposed activities** (collection, import, export, domestic receipt). You may request samples from the following U.S. or foreign sources:
    - Animals in captivity (samples taken during routine husbandry procedures or under separate authorization);
    - Animals in foreign countries stranded alive or dead or that died during rehabilitation;
    - Animals killed during legal subsistence harvests;
    - Animals killed incidental to legal commercial fishing operations; or
    - Samples from other authorized persons or collections.
4. If importing samples taken from live animals (including captive or wild animals), describe how the samples were collected including animal handling and sample collection protocols. This should include a discussion of how the take was humane.[2]
5. List the **authorizing government agency and authorizations or permits** obtained for the legal take of animals or parts in the country of origin. It is unlawful to import parts from an animal that was taken illegally in the country of origin.
6. If collecting or receiving samples from **U.S. subsistence-hunted marine mammals**,

[2]Humane means using the method that involves the least possible degree of pain and suffering possible.

or importing samples from subsistence-hunted marine mammals in foreign countries, describe:
   - The subsistence method, and
   - Whether documentation is available to ensure the taking was conducted in a humane manner (i.e., using the method that involves the least possible degree of pain and suffering possible).
7. For samples **received domestically from U.S. permitted researchers**, include the researcher's name, affiliation, and permit number.
8. List the **locations** (countries and facilities/researchers) from which samples will be imported or to which they will be exported, including listing the ports of entry for importing samples into the United States.
9. Describe how samples will be **preserved, shipped, and curated**.
10. Describe how samples will be **analyzed** and include a brief overview of the methods that will be used to analyze the samples including references where possible.

Project Supplemental Information

Attach a References File

On the Attachments page, you will be asked to upload a **bibliography** of references cited in this application. Referenced materials must be made available upon request, as needed for evaluation of the application and preparation of ESA or NEPA analyses. If a link to your referenced material is available, add the link to your References File.

Resources Needed to Accomplish Objectives

1. Explain how your expertise, facilities, and resources[3] are adequate to accomplish your proposed objectives and activities.
2. List relevant proposals, contracts, grant awards, or letters of agreement that would demonstrate your resources. If funding is not yet secured, provide a history of funding over the past 5 years. Copies must be made available upon request.
3. Indicate the status of other international, federal, state, or local authorizations and permits you have applied for, secured, or will apply for.

Disposition of Tissue Samples

Outline what will be done with the biological samples during your research and after your project is complete, as follows:

4. If you are performing your analyses in-house, state whether the samples will be consumed, destroyed, or curated.
5. If you are sending samples to another entity:
   - List the name, affiliation, and location of any person or institution that will receive, analyze, or curate samples[4]

[3]**Expertise** includes a summary of the cumulative experience of you and your personnel. **Facilities** include such things as your existing infrastructure or laboratories. **Resources** include financial (e.g., current funding and/or history of securing funding); material (e.g., sampling equipment, UAS, boats); and other resources (e.g., collaborative partnerships that can be drawn on to support your work).

[4]Persons or institutions authorized to receive samples for analysis or curation related to the objectives of your permit are known as **Authorized Recipients**.

- Include the sample type and purpose of transfer (type of analysis and/or curation). State whether samples will be consumed in analysis, destroyed, curated, or returned.

Authorized Recipient	Sample Type	Purpose of Transfer	Disposition
Researchers name, affiliation, City, State	Whole blood and serum	Analysis	Analysis and curation of remaining samples
Researcher's name, affiliation, City, State	Blubber	Analysis	Analysis (samples consumed in analysis)

6. If samples will remain after the completion of your research, indicate if you will retain legal custody of the curated samples or if you will permanently transfer custody of the samples.

Public Availability of Product/Publications

7. Describe the end products of your proposed project and how they will be made available to the public.

Project Location

First, you will describe the general location(s) where samples will be collected or imported from, exported to, or received from. Then, you will use the Sample Activity Table (Take Table) to list the species you expect to encounter and the procedures you will conduct.

1. Add **New Location**:
   - General area – **select the Animal Parts option**
2. Enter **Location Details**:
   - Use the Location Description box to briefly describe the locations (e.g., *World-wide import, export, and receipt of marine mammal samples for analysis at [state laboratory name, city, and state]*. Or, *Samples will be imported from [state country] and analyzed at [state laboratory name, city, and state]).*
   - *You may use the mapper tool at the bottom of the page to denote your laboratory location(s).*

Sample Activity Table (listed in APPS as Take Table)

This table summarizes the annual collection, import, export, or receipt of samples for each year of your project.

Columns you will fill out in this table:

1. **Species**: Use the drop down list. If you are requesting opportunistic receipt of any species of marine mammal under NMFS jurisdiction, choose Cetacean, unidentified for one row, and Pinniped, unidentified for a second row.
2. **Listing Unit/Stock**: Select the applicable MMPA stock(s) or ESA listing unit(s). If you are requesting samples from all species in a taxa group, indicate so. You can use "unidentified cetacean," "unidentified pinniped," or "all ESA-listed sawfish."

3. **Life Stage**: Select from the drop-down list. Choose All if samples from any life stage are included.
4. **Sex**: Select Male and Female if samples are from both sexes.
5. **Expected Take**: This represents the **number of animals** from which samples will be collected, imported, exported, or received annually. Please note that an unlimited number of samples from each individual animal may collected, imported, exported, or received.
6. **Take Action**: Select Import/export/receive.
7. **Observe/Collect Method**: Select Other.
8. **Procedures**: Select the relevant activities from the drop down list. You can select multiple procedures by holding down the Control key. Your options are:
   - Cell lines,
   - Collect, U.S. subsistence,
   - Export parts,
   - Import parts,
   - Other (only choose if your activity is not listed, and briefly describe what it means in the Details box),
   - Receive parts domestically,
   - Salvage (carcass, tissue, parts).
9. **Begin Date**: Populated with the Begin Date you entered on the Project Information page. You may change the date to coincide with a specific project time that is shorter than the overall duration of the project. You cannot enter a date that is earlier than your original Begin Date.
10. **End Date**: Populated with the End Date entered on the Project Information page. You may change the date to coincide with a specific project time shorter than the overall duration of the project. You cannot enter a date that is later than the End Date you previously entered.
11. **Details**: You may enter details on each take table line. If you select “other” you must describe what you mean. For example, Cetacean, unidentified or Pinniped, unidentified could be clarified the following ways:
    - *Unlimited samples from up to 100 animals of each species annually*; or
    - *Unlimited samples from up to 100 animals total of each taxonomic grouping.*

Anticipated Effects on the Environment

1. Will you be working in or near areas with unique environmental characteristics or important scientific, cultural or historical resources? Yes or no.
   Examples include:
   - Animals used for subsistence
   - Archaeological resources
   - Critical Habitat of ESA-listed species
   - Essential Fish Habitat including wetlands, coral reefs, sea grasses, and rivers
   - Federally recognized Tribal and Native Alaskan lands, cultural or natural resources, or religious or cultural sites
   - Marine Protected Areas
   - National or State Parks
   - National Marine Sanctuaries and National Monuments

- National Historic Landmarks
- Sites listed in or eligible for listing in the National Register of Historic Places
- Wild and Scenic Rivers
- Wilderness Areas
- Wildlife Refuges

a. If yes, please list those areas. As applicable, mention if you will need to or have already obtained permission (licenses, permits, authorizations) to work in these areas.
b. How would your activities affect such resources? What measures will you take to ensure your work does not cause loss or destruction of such resources?
c. For marine mammal activities in Alaska or Washington, how will you ensure your project does not adversely affect the availability (e.g., distribution, abundance) or suitability (e.g., food safety) of marine mammals for subsistence uses?

2. Discuss if your activities have the potential to impact the physical or biological environment, in particular coastal and marine environments. Impacts can be positive or negative. Examples of potential impacts include:
   - Altering substrate while anchoring vessels and buoys
   - Using bottom trawls or other types of nets
   - Erecting blinds or other structures
   - Ingress and egress of researchers
   - Injuring or killing benthic organisms (e.g., sea grass, corals)
   - Altering the physical or chemical characteristics of water (e.g., oil spills)
   - Affecting a species' abundance or distribution
3. Invasive Species
   a. Does your project involve activities known or suspected of introducing or spreading invasive species, intentionally or not? Examples include transporting animals, discharging ballast water, and using boats/equipment at multiple sites. Yes or no.
   b. Describe measures you would take to prevent the possible introduction or spread of non-indigenous or invasive species, including plants, animals, microbes, or other biological agents.
4. Biological Specimens
   a. Will your activities involve collecting, handling, or transporting potentially infectious agents or pathogens, such as biological specimens (animals, blood, tissues)? Yes or no.
   b. Will your activities involve using or transporting hazardous substances, such as toxic chemicals? Yes or no.
   c. If yes to either question, describe the protocols you will use to ensure that public health and human safety are not adversely affected, such as by spread of zoonotic diseases, chemical injuries, or contamination of food or water supplies.
5. Do your activities involve equipment (e.g., scientific instruments) or techniques that are untested, or have unknown or uncertain impacts on the biological or physical environment? Yes or no.
   If yes:

a. Briefly describe the equipment or techniques and provide any information about the use of these in your study area and/or with other taxa and what is known about their impacts.
b. Discuss the degree to which they are likely to be adopted by others for similar activities or applied more broadly.

Project Contacts

The person entering the application in APPS will automatically be assigned the following roles: **Applicant/Permit Holder, Principal Investigator (PI),** and **Primary Contact**.

1. You may need to change or add personnel.
2. Use the guidance below to help you decide who should have what role.
3. To prevent duplicate entries, ALWAYS search APPS for the person before entering a new contact. Start with the last name in the APPS search box.
4. Include a table with the names of the PI and Co-Investigators (CIs), and the specific procedures they will oversee or conduct (see example Table 1). Attach the table on the Attachments page.
5. As you add personnel, check whether each person already has a Qualifications Form (QF) in APPS. It will appear next to their name once you add them to your Contacts page. If there is not a QF in APPS, then attach one for the PI and each CI. See Qualifications and Experience below.

Descriptions of Personnel Roles

A project must have a **Responsible Party if the Applicant/Permit Holder is an organization, institution, or agency**. The Responsible Party or Applicant/Permit Holder is an official who has the legal authority to bind the organization, institution, or agency and is ultimately responsible for the activities of any individual operating under the authority of the permit.

The **Principal Investigator** (PI) is the individual primarily responsible for the take, import, export, and any related activities conducted under the permit. There can only be one PI on a permit. The PI:

- Must have qualifications, knowledge, and experience relevant to the activities authorized by the permit.
- Must be on site during activities conducted under the permit unless a Co-Investigator is present to act in place of the PI.
- May also be the Applicant/Permit Holder and Primary Contact.

The **Primary Contact** is the person primarily responsible for correspondence during the application review process and after a permit is issued. Typically this person administers the permit, requests amendments/modifications (e.g., personnel changes), and submits reports. The Primary Contact may also serve other roles on the permit (e.g., Applicant/Permit Holder, PI, CI).

The Applicant/Permit Holder or Responsible Party, PI, and Primary Contact will have access to APPS to enter and edit the application, submit reports and

modification requests, and will receive automatic emails from APPS.

Co-Investigators (CIs) are individuals who are qualified and authorized to conduct or directly supervise activities including import/exporting activities and laboratory analysis, conducted under a permit without the on-site supervision of the PI. This includes cell line development.

- You must add CIs to the application if the PI will not always be present during the permitted activities.
- CIs can also be added or removed once a permit has been issued.

In addition, **you must submit a table (see Table 1) defining the PI and CI roles** and activities to be performed (i.e., supervising or conducting specific procedures).

Table 1. Example of Personnel Roles

Name	Role	Activities
Jane Smith, Ph.D.	Principal Investigator	Supervise and perform all activities under the permit
John Doe	Co-Investigator	Import/receive blubber and conduct fatty acid analysis
Jane Doe, D.V.M.	Co-Investigator	Collect lung, heart, and muscle samples from subsistence-hunted animals for histology

Qualifications and Experience

We recommend the PI and each CI submit a QF. Once you fill out a QF and attach it to your profile in APPS, you won't need to upload a new QF unless you acquire new skills, your level of experience changes, or 10 years have passed. Each contact should only have **1 QF file** in their profile; it will apply to all permits they are affiliated with. They may **replace** the QF with an updated version as they gain new experience.

Persons authorized as the PI or CIs must have qualifications corresponding to their duties. Note, if the PI or a CI will be supervising but not performing specific procedures, they must demonstrate sufficient cumulative experience to oversee the project, personnel, and procedures.

If you do not provide sufficient information, we will not authorize the person(s).

Attachments

You can attach files requested throughout the application on the Attachments page.

- Preferred file formats: Word, Excel, PDF, or text.
- As applicable, attach a personnel table with the names of the PI and CIs, and the specific procedures they will oversee or conduct.
  - Examples of required files, depending on the permit type: literature references, map, figures, and photographs.

Certification and Signature

Before you can submit your application you must authenticate your identity, certify that all information is correct, and sign the application.

Submit Application

Submit your application via our online system APPS. If you encounter problems email us at nmfs.pr1.apps@noaa.gov.

Additional Information

When should I apply?

At least 4-6 months before your project will begin.

What is the process for getting a permit?

1. Follow these instructions and contact the Permits and Conservation Division at nmfs.pr1.apps@noaa.gov or 301-427-8401 with any questions.
2. Submit your application via APPS.
   a. A permit analyst will review your application and contact you if additional information is needed.
3. Address any questions within 60 days or your application will be withdrawn.
   a. Once we consider your application complete, we will publish a notice in the Federal Register, which starts a mandatory 30-day public comment period.
   b. Concurrently, we will send your application to the Marine Mammal Commission and other subject matter experts in partner institutions and federal and state agencies for review.
4. Address any questions received during the comment period.
   a. We will draft the permit and supporting documentation (including National Environmental Policy Act analyses, responses to public comments, and documentation of MMPA and ESA issuance criteria).
   b. The documents will be reviewed by various NMFS offices including a legal review.
   c. The Office Director will decide whether to issue or deny your permit.

What is the process for requesting an amendment to a permit?

Use APPS to request an amendment to your permit. You'll need to provide a description of your proposed changes and include all the necessary details for those changes, as applicable. Use these application instructions as a guide. For example, changes to your objectives will require that you discuss all the points in the Project Purpose section. Additions to personnel should include QFs and descriptions of their roles.

Applicable Laws and Regulations

Under Section 104(c) of the MMPA, Section 10(a)(1)(A) of the ESA, , and the Fur Seal Act of 1966, persons may be authorized to take, import, or export marine mammals and threatened and endangered species and their parts, respectively, for purposes of scientific research or enhancing the survival of the species. Interested persons are required to submit an application in accordance with the Acts and the implementing regulations at 50 CFR Part 216, Subpart D, and 50 CFR Part 222. Under NEPA,

Federal agencies must assess the effects of federal actions on the environment. These instructions for applying for a research or enhancement permit are drawn from, but do not substitute for, ESA regulations and MMPA regulations. Read the full text of the MMPA, including Section 104, or the full text of the ESA, including Section 10(a)(1)(A). Read the full text of the Fur Seal Act.

The permit application and any associated documents, including any reports required, are considered public information and as such, are subject to the Freedom of Information Act.

Paperwork Reduction Act Statement

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 unless the information collection has a currently valid OMB Control Number. The approved OMB Control Number for this information collection is 0648-0084. Without this approval, we could not conduct this information collection. Public reporting for this information collection is estimated to be approximately 20 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. All responses to this information collection are required to obtain a permit pursuant to the MMPA, ESA, FSA, NEPA, and their implementing regulations. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden to the Chief, Permits and Conservation Division, Office of Protected Resources, F/PR1, NOAA/National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910; email nmfs.pr1.apps@noaa.gov.