

# National Marine Fisheries Service

## Endangered Species and Marine Mammals Parts Permit Application

*OMB No. 0648-0084*

*Expires: 12/31/2019*

NATIONAL MARINE FISHERIES SERVICE (NMFS)  
ENDANGERED SPECIES AND MARINE MAMMALS:  
SCIENTIFIC RESEARCH AND ENHANCEMENT PERMITS

Section C: Parts Permits

**TABLE OF CONTENTS**

**INTRODUCTION..... 3**

PROJECT INFORMATION ..... 5

PROJECT DESCRIPTION..... 6

PROJECT SUPPLEMENTAL INFORMATION..... 8

PROJECT LOCATION..... 9

SAMPLE ACTIVITY INFORMATION (A.K.A. TAKE TABLES) ..... 9

NATIONAL ENVIRONMENTAL POLICY ACT .....11

PROJECT CONTACTS.....12

SUBMIT APPLICATION.....14

**ADDITIONAL INFORMATION ..... 15**

PAPERWORK REDUCTION ACT STATEMENT .....15

## Introduction

### What is this permit application for?

- This application is for requesting a NMFS scientific research or enhancement permit under the Marine Mammal Protection Act (MMPA) and Endangered Species Act (ESA) to:
  - Import and export protected species parts<sup>1</sup>/samples
  - Receive or collect parts from U.S. subsistence-hunted marine mammals
  - Develop and use cell lines derived from protected species
  - Salvage dead ESA-listed sturgeon or sawfish
  - If you are requesting any of the above, you may also include receiving samples domestically from other U.S. permitted sources.
- Protected species covered by this permit include these under NMFS jurisdiction:
  - cetaceans (dolphins, porpoises, and whales)
  - pinnipeds (seals and sea lions)
  - sawfishes (largetooth and smalltooth)
  - sturgeon (Atlantic and shortnose)
  - sea turtles (only for samples collected in water- contact FWS for import and export of sea turtle samples)
  - other ESA-listed species found in foreign countries.
- 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
  - Samples from other authorized persons or collections

### What is this permit application NOT for?

- Taking (e.g., collecting samples from or harassing) live animals in the United States. A research permit is required for this activity for [marine mammals](#) and [ESA-listed species](#).
- Collecting or receiving samples from dead or live beached/stranded marine mammals in the United States (this requires a separate authorization). Contact [your regional stranding coordinator](#) for more information.

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<sup>1</sup> Marine mammal parts are defined by regulation: Hard part means any bone, tooth, baleen, treated pelt, or other part of a marine mammal that is relatively solid. Soft part means any marine mammal part that is not a hard part; soft parts do not include urine or feces. NMFS regulates cell lines, DNA (excluding replicated DNA), and other tissue derivatives as parts.

- Importing, exporting, selling, and possessing marine mammal parts taken prior to the enactment of the MMPA (December 21, 1972) or endangered species parts that are at least 100 years old (antique under the ESA). You will need a [Letter of Determination](#) for these parts.
- Only receiving samples from permitted U.S. researchers (this does not apply to cell lines).
- Obtaining a Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) [permit](#).
- Urine, feces, non-part stomach contents, and synthetic or replicated samples without any of the original source part remaining (e.g., replicated DNA, RNA; synthetic proteins). A scientific research permit is only required for urine, feces, and vomitus if there is the potential to take (including harassment) living protected species during collection in the field.
- Importing samples into the United States from marine mammals:
  - Taken in any high seas driftnet fishery after December 31, 1992
  - Deliberately killed for the express purposes of providing samples
  - Taken illegally in the country of origin
  - Taken during whaling activities not approved by the International Whaling Commission (IWC)
  - Taken during whaling activities opposed by the United States<sup>2</sup>, or
  - Taken in a directed cetacean fishery opposed by the United States, including Japanese “drive fisheries.”

### **When should I apply?**

- At least 6 months before you wish to start; preferably 8 months prior.

### **What is the process for getting a permit?**

1. Follow these instructions and contact the Permits and Conservation Division at 301-427-8401 with any questions.
2. Submit your application.
  - a. An assigned permit analyst will contact you and review the application.
3. Address any questions on the application within 60 days or your application will be considered abandoned and withdrawn. To facilitate processing, reference the application File No. in all correspondence with our Office.
  - a. Once 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 subject matter experts in partner institutions and federal and state agencies for review.
4. Address any questions received during the comment period.

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<sup>2</sup>Including samples taken during scientific whaling and commercial hunts after the IWC Whaling Moratorium of 1986.

- a. We will then draft the permit and supporting documentation (including National Environmental Policy Act analyses), which will be reviewed by various NMFS offices including a legal review by General Counsel.
- b. A final decision will be made by the Office Director.

### **How do I use APPS?**

Refer to [Chapter 2](#) (“How to Use the System”) for instructions to use APPS. When starting from your portfolio, click on the link of your file number under the “File Number” column to take you to the application. **Save your application every 20 minutes or you will lose information!** An \* means it is a required field.

### **Questions?**

Contact our office at 301-427-8401.

### Project Information

#### ***File Number***

- This number is automatically generated and cannot be changed.

#### ***\*Project Title*** (255 characters)

- Provide a concise title to include the activity, species (or taxa if multiple species), and purpose of the study. 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.*

#### ***\*Project Status***

- The project status (New or Renewal) is automatically selected based on your answers in the pre-application guide (PAG). Do not change this field.

#### ***Previous Federal or State Permit***

- If applicable, enter your most recent and closely related NMFS permit number. Otherwise leave blank. USFWS and State permit numbers are not applicable.

#### ***\*Permits Requested***

- One or more permits will be listed based on your answers in the PAG. If the options listed are incorrect, please call the Permits Division at 301-427-8401 for assistance.

#### ***\*Where Will the Activities Occur?***

- One or more general locations will be listed based on your answers in the PAG. If a location is incorrect, please call the Permits Division at 301-427-8401 for assistance.

**\*Research Timeframe**

- Enter the desired start and end dates of the entire project in the following format: MM/DD/YYYY. The start date must not be prior to the date you submit the application and should be at least 6 months after the date you submit. The end date must be within five years of the start date because permits are valid for a maximum five year period.

**\*Sampling Season/Project Duration** (1,000 characters)

- Describe the frequency of sample collection, import, export, or receipt. If your project is of an ongoing nature, please indicate when your research began and when you expect your research to conclude.

**\*Abstract** (enter up to 2,000 characters)

- The abstract must include the following information, which is published in the *Federal Register* Notice of Receipt that initiates the mandatory 30-day public comment period:
  - Purpose of the research.
  - Species (common and scientific names); if you are requesting opportunistic samples from a large number of species under NMFS jurisdiction, you do not need to list out all species, but rather, may indicate taxa.
  - Proposed activities (e.g., import and export 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 which they will be exported.
  - Requested duration of the permit (the maximum is five years).

Project Description

**\*Project Purpose: Hypothesis/Objectives and Justification** (enter up to 64,000 characters)

- Discuss how your proposed research is *bona fide*, including how the results of your research:
  - Are likely to be accepted for publication in a refereed scientific journal;
  - Are likely to contribute to the basic knowledge of the species biology or ecology (Note: This includes, for example, parts in a properly curated, professionally accredited scientific collection); or
  - Are likely to identify, evaluate, or resolve conservation problems.
- Discuss the purpose of your project including your hypotheses and/or objectives. 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.

- Summarize published findings related to the objectives, using literature citations from your work if you have previously held or worked under a permit, or other published literature. Describe how your proposed study is different from, builds upon, or duplicates past research.
- Explain how you determined your sample size. 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.

For **ESA-listed and MMPA-depleted** species, also:

- Discuss why your project must involve ESA-listed or depleted species parts.
- Discuss how your project will:
  - Contribute to the objectives identified in the species' recovery or conservation plan;
  - Contribute significantly to understanding the basic biology or ecology of the species;
  - Contribute significantly to identifying, evaluating, or resolving conservation problems; or
  - Enhance the propagation or survival of the species.

**\*Project Description** (enter up to 64,000 characters)

- List the sources of your samples and all proposed activities (collection, import, export, domestic receipt).  
For example: 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
- List the number of animals by species, life stage, and sex from which parts/samples are sought. If you are requesting opportunistic sample import/receipt, you may request an unlimited number of samples from a specified number of animals, by taxa (e.g., unlimited samples from up to 100 cetaceans and 100 pinnipeds annually). Please note that the numbers requested in the narrative must match the numbers requested in the take table.
- List the type of samples (e.g., blood, skin, whole carcasses) and indicate whether you will be isolating nucleic acids or other constituent elements of the tissues, or developing/maintaining cell lines. Note, a permit is not needed 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).

- 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.
- Describe how samples will be preserved, transported/shipped, and stored/curated.
- Describe the how samples will be analyzed and include a brief overview of the methods that will be used including references where possible.
- If collecting or receiving samples from U.S. subsistence-hunted marine mammals, 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).
- If importing samples taken from live animals, describe how the samples were collected including animal handling and sample collection protocols. This should include a description of how the take was humane.
- It is unlawful to import parts from an animal that was taken illegally in the country of origin. List the authorizing government agency and authorizations or permits obtained for the legal take of animals or parts in the country of origin.
- For samples received domestically from U.S. permitted researchers, include the researcher's name, affiliation, and permit number.
- 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.
- Describe how samples will be preserved, transported/shipped, and stored/curated.
- Describe the how samples will be analyzed and include a brief overview of the methods that will be used including references where possible.

## Project Supplemental Information

### ***Attach a Supplemental Information File***

- You may attach supplemental files here.

### ***Attach a References File***

- Attach a bibliography of references cited in this application.

**\*Resources Needed to Accomplish Objectives** (enter up to 2,000 characters and attach file if necessary)

- Explain how your expertise, facilities, and resources are adequate to accomplish your proposed objectives and activities.
- Please list any relevant formal research proposals, contracts, grant awards, or letters of agreement that would demonstrate financial or logistical resources.
- Attach copies of any other applicable international, federal, state, or local authorizations.

**\*Disposition of Tissues** (enter up to 2,000 characters)

- Indicate the disposition of any remaining samples after your project is complete.
  - State whether samples will be consumed in analysis, destroyed, or exported back to facility/researcher; and/or
  - If applicable, list the name and location of the person or institution that will store/curate samples. Indicate if you will retain legal custody of the archived samples or if you wish to permanently transfer the samples once your project is complete.

**\*Public Availability of Product/Publications** (enter up to 800 characters)

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

### Project Location

- On the main Project Location page, you will describe the locations of sample collection, import, export, receipt and add information in a table on the species, number of animals, and number of samples per animal. **Select the Animal Parts option as your general location.**
- **Enter Location Details:** Use the Location Description box (up to 255 characters) to briefly describe the locations (e.g., World-wide import, export, and receipt of marine mammal samples. Samples will be received and analyzed at [state your laboratory name and city, state]).

### Sample Activity Information (a.k.a. Take Tables)

- The table represents annual collection, import, export, or receipt of samples for each year of your project.
- *Columns you will fill out in the table include:*
  - 1) **Species:** Select the species – they are listed alphabetically by common name and/or category (e.g., whale, sperm). Alternatively for marine mammals, 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 Listing Unit/Stock. Choose Range-wide if you are importing specimens from locations worldwide.
- 3) **Production/Origin:** Choose as applicable: Wild, Captive, Rehabilitation facility, or All. If origin is unknown, choose All.
- 4) **Life Stage:** Select the applicable life stage or choose All if samples from any life stage are included.
- 5) **Sex:** Select Male and Female if samples from both sexes are included.
- 6) **Expected Take:** This represents the number of animals from which samples will be collected, imported, exported, or received annually.
- 7) **Takes Per Animal:** This represents the maximum number of samples per individual that will be collected, imported, exported, or received annually. If your research is opportunistic and this number is unknown (e.g., a large volume of samples may become available), you may enter 999999 to represent an unlimited number of samples per individual. However, if you have a discrete project and the number of samples is known, indicate that number.
- 8) **Take Action:** There is only one option for parts permits. Choose Collect/Import/export/receive only. You will specify which actions you are proposing below under procedures.
- 9) **Observe/Collect Method:** There is only one option for parts permits. Choose Other.
- 10) **Procedures:** A separate pop-up window will appear with the following options (hold down the Control key to select all that apply):
  - Collect parts from U.S. subsistence hunted animals;
  - Import;
  - Export;
  - Receive domestically; and/or
  - Other (only chose if your activity is not listed, and briefly describe what it means in the Details box).
- 11) **Details:** Enter up to 255 characters. Provide details for each table row to provide clarity. 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.*

## National Environmental Policy Act

To assist us in our required National Environmental Policy Act (NEPA) analysis, please provide information as requested below to verify any activity covered by the permit (e.g., collection from U.S. subsistence-hunted animals), importing and exporting (i.e., shipping biological samples and/or hazardous substances), and analysis (i.e., laboratory work) may be categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

If you answer “no” or believe any of the criteria are “not applicable” you must explain why.

- 1) If your activities will involve equipment or techniques that are new, untested, or otherwise have unknown or uncertain impacts on the environment, please discuss the degree to which they are likely to be adopted by others for similar activities or applied more broadly.
- 2) If your activities involve collecting, handling, or transporting potentially infectious agents or pathogens (e.g., blood), or using or transporting hazardous substances (e.g., formalin), provide a description of the protocols you will use to ensure public health and human safety are not adversely affected, such as by spread of zoonotic diseases or contamination of food or water supplies from disposal of hazardous waste. For example, what are your safety protocols for handling and shipping samples?
- 3) If you are collecting samples from U.S. subsistence-hunted animals, describe the physical characteristics of your project location, including whether you will be working in or near unique geographic areas such as state or National Marine Sanctuaries, Marine Protected Areas, Parks or Wilderness Areas, Wildlife Refuges, Wild and Scenic Rivers, designated Critical Habitat for endangered or threatened species, Essential Fish Habitat, etc. Discuss how your activities could impact the physical environment, such as by ingress and egress of researchers, and measures you will take to minimize these impacts.
- 4) If you are collecting samples from U.S. subsistence-hunted animals, describe any important scientific, cultural, or historic resources (e.g., archeological resources, animals used for subsistence, sites listed in or eligible for listing in the National Register of Historic Places) in the project area and discuss measures you will take to ensure your work does not cause loss or destruction of such resources. Discuss measures you will take to ensure your project does not adversely affect the availability or suitability of animals for subsistence use.
- 5) Discuss whether your project involves activities known or suspected of introducing or spreading invasive species, intentionally or not (e.g., transporting animals or tissues, use of equipment at multiple sites). 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. For example, include how samples are preserved and shipped such that they will not be inadvertently introduced into another environment in the wild.

## Project Contacts

As the person entering the application, you will automatically be assigned the following roles: **Applicant/Permit Holder, Principal Investigator, and Primary Contact**. See Chapter 2 for directions on how to change who is assigned to these roles and the table below.

Project Contact	Must be named in the permit application	Able to make changes to application, request changes to the permit, and submit reports; will receive automatic emails from APPS.	Description of qualifications required
<b>Applicant/Permit Holder</b>	✓	✓	✓
<b>Responsible Party*</b>	✓ (if Applicant/Holder is an entity)	✓	
<b>Principal Investigator</b>	✓	✓	✓
<b>Primary Contact</b>	✓	✓	
<b>Co-Investigator</b>	✓		✓
<b>Authorized Recipients</b>	✓		
<b>Research Assistants</b>			

\* A Responsible Party may also be the PI or a CI if participating in the research; therefore, the description of qualifications is required.

To prevent duplicate entries, **you MUST ALWAYS search the APPS database for the person before entering a new contact**. To facilitate the search, start with only putting the last name in APPS search box.

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 import, export, and any related activities conducted under the permit. The PI must have qualifications, knowledge and experience relevant to the activities authorized by the permit. The PI must be on site during activities conducted under the permit unless a Co-Investigator is present to act in place of the PI. There can be only one PI on a permit. The PI may also be the Applicant/Permit Holder and Primary Contact.

You must add **Co-investigators (CIs)** to the application if the PI will not always be present during the permitted activities. CIs are individuals who are qualified and authorized to conduct and/or directly supervise activities, including import/exporting activities and laboratory analysis, conducted under a permit without the on-site supervision of the PI.

**Authorized Recipients** (ARs) are persons or institutions authorized to receive samples for the purposes of analysis or curation related to the objectives of your permit. The PI and CIs may also be ARs. ARs should not be CIs if they are only performing the analysis and are not overseeing the study or publishing the results (i.e., they are only providing an analytical service).

Include a table listing the names of the PI, CIs, and ARs, and the specific procedures they will oversee or conduct. **Attach the table on the Supplemental Information page.**

Example Table Attachment: Personnel Roles

Name/Affiliation	Role	Activities
Researcher name, Affiliation, City, State	PI, CI, and/or AR	Specific tissues they will import/export/receive, type of analysis, whether supervising
John Smith, Ph.D., University A, City, State	Principal Investigator and Authorized Recipient	Supervise and perform all activities under the permit
Jane Doe, Ph.D., Laboratory B, City, State	Co-Investigator and Authorized Recipient	Import/receive blubber and conduct fatty acid analysis
John Doe, D.V.M., Institution C, City, State	Co-Investigator and Authorized Recipient	Collect lung, heart, and muscle samples from subsistence-hunted animals for histology
Jane Smith, Laboratory D, City, State	Authorized Recipient	Receive skin samples for DNA sequencing

### *Qualifications and Experience*

Federal Regulations require that persons authorized as the PI or CIs have qualifications commensurate with their duties. In addition, the names of the PI and CIs are sent to the NOAA Office of Law Enforcement to determine if any violations of the MMPA or ESA and other environmental laws have occurred.

The permit applicant is therefore required to submit the following information about the qualifications and experience of the PI and all CIs to demonstrate they have qualifications commensurate with their duties as stipulated in the Personnel Table. **\*\*If sufficient experience is not provided, the various personnel will not be authorized to conduct the proposed activities. A CV may be submitted IF it is up to date and contains all relevant information.**

1) **Contact information.**

All documentation submitted will be publicly available. **DO NOT** include personal information (e.g., social security number, date of birth, nationality, or home phone/address-unless it is also the business phone/address).

- Name (first middle last)
- Business phone, e-mail, and mailing address

2) **Relevant education and training**

- Degree, major, name of institution, year received
- Applicable certificates or licenses, year received
- Other relevant training or certification, year received

3) **Relevant experience**

- Job title, affiliation/location, and dates with detailed description of when and how the individual obtained experience in the proposed methods they will be conducting and/or supervising, including how many years they have been performing or supervising the activities (including specific sample analysis, tissue handling, etc.)
- Whether and to what extent they have performed them without supervision or have supervised the proposed activities

4) **List of grants awarded demonstrating available resources relevant to the proposed activities or history of securing resources for similar work**

5) **Annotated publication history relevant to the activities being conducted under the permit**

Submit Application

See Chapter 2 for how to submit your application and check on its status.

## Additional Information

Under Section 104(c) of the MMPA and Section 10(a)(1)(A) of the ESA, persons may be authorized to take marine mammals and threatened and endangered species, 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. These instructions for applying for a research or enhancement permit are drawn from, but do not substitute for, ESA regulations and MMPA regulations. These regulations are available to read [online](#). Read the [full text](#) of the MMPA, including Section 104, or the [full text](#) of the ESA, including Section 10(a)(1)(A).

## Paperwork Reduction Act Statement

The information requested in this application is required and is used to determine whether the activities described in the application are consistent with the purposes and policies of the Acts and their implementing regulations.

Public reporting burden for this collection of information is estimated to *average* 20 hours per response (i.e., filling out the above application), including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, 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.

All permit documentation, including the application, permit and amendments, reports, inventory information, and any other associated documents are considered public information and as such, are subject to the Freedom of Information Act.

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 that collection of information displays a currently valid OMB Control Number.

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