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MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATION
FISCAL YEAR 2010

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
UNITED STATES SENATE

13 May 2009

MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATION
FISCAL YEAR 2010

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES

13 May 2009

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by Title II of Public Law 92-522, as amended, \$3,000,000.

Background

Congress passed the Marine Mammal Protection Act in 1972 amid growing concerns that certain species and populations of marine mammals were in danger of extinction or depletion as a result of human activities. At that time, the concerns pertained to dolphin mortality in the tuna fishery in the eastern tropical Pacific Ocean, failure of the International Whaling Commission to regulate commercial whaling, and killing of harp seal pups in the North Atlantic for their fur.

In the Act, Congress directed that the primary objective of marine mammal management should be to maintain the health and stability of the marine ecosystem. The Act was one of the first to foster an ecosystem approach to ocean management and, since 1972, ecosystem-based management has been recognized and incorporated into various U.S. and foreign legislation as well as international agreements such as the Convention for the Conservation of Antarctic Marine Living Resources.

Congress also directed that human activities should not diminish marine mammal populations to the point at which they cease to be significant functioning elements of their ecosystems. The Act requires federal agencies to maintain marine mammal populations at their optimum sustainable population level (or restore them to that level) and protect their essential habitats, including rookeries, mating grounds, and areas of similar significance, from the adverse effects of human actions.

Title II of the Act created the Marine Mammal Commission and its Committee of Scientific Advisors on Marine Mammals. The Commission provides oversight and recommends actions on domestic and international issues to further the policies and provisions of the Act. To that end, the Commission seeks to address complex and often contentious issues by bringing together representatives of local, state, and federal government agencies, commercial and conservation interests, and the general public to share perspectives, seek common understanding, and develop and promote solutions.

The Commission's small size, independent status, and ready access to scientific expertise enable it to carry out its functions in a cost-effective manner. Congress has recognized this ability through the Commission's annual appropriations, which have included funds to support Congressionally identified projects such as the Commission's recent Consultation on Future Directions in Marine Mammal Research and reviews of the effects of anthropogenic sound on marine mammals, the cost-effectiveness of marine mammal recovery programs, and the ecological effects of killer whale predation on endangered marine mammals.

The Commission also has used its appropriations to review and assess topics such as the effects of climate change on Arctic marine mammals, the fundamental principles of sound in the marine environment, co-management of subsistence harvests by Alaska Natives, and the utility of population viability analyses. The Commission's science program has supported a broad range of studies, most costing less than \$40,000, to identify ways to reduce or mitigate a variety of threats to marine mammals and their habitats, primarily in areas under U.S. jurisdiction. Among other things, the Commission uses those funds to help plan, promote, and implement important multi-agency and international initiatives to recover endangered, threatened, and depleted marine mammals (e.g., North Atlantic and North Pacific right whales, Florida manatee, Hawaiian monk seal, sea otter, southern resident killer whale, Cook Inlet beluga whale, vaquita, western North Pacific gray whale).

Objectives for Fiscal Year 2009

In Fiscal Year 2009 the Commission is meeting its statutory responsibilities by—

- recommending to the Secretaries of Commerce and the Interior and to other federal officials actions needed to more effectively implement the provisions of the Marine Mammal Protection Act;
- conducting reviews of regional marine mammal issues and stock assessments in concert with Scientific Review Groups;
- helping to plan, review, and coordinate federal, state, and international marine mammal research and monitoring programs to increase their effectiveness and avoid wasteful, duplicative efforts;
- managing and publishing the results of its research and studies program to identify and resolve problems affecting the conservation of marine mammals and their habitats;
- recommending to the Secretaries of Commerce and the Interior appropriate responses to requests for authorization to take marine mammals intentionally for scientific research, public display, and enhancement of wild stocks, and incidentally during other activities;
- recommending to the Department of State possible U.S. positions regarding development and implementation of international agreements affecting marine mammals;
- promoting application of science-based, ecosystem-oriented approaches to the conservation of marine mammals and other marine organisms, both domestically and internationally;
- continuing to work with the National Marine Fisheries Service, the Fish and Wildlife Service, representatives of affected fisheries, and public interest groups to develop and implement take reduction plans for marine mammal stocks whose levels of human-caused mortality and serious injury in fisheries are greater than can be sustained;
- continuing to identify and promote actions to minimize the direct and indirect effects of chemical contaminants, marine debris, noise, and other forms of ocean pollution on marine mammals and other marine organisms;
- encouraging the responsible agencies to develop, update, and implement recovery and conservation plans for endangered, threatened, and depleted species and populations of marine mammals; and
- working with the responsible federal and state agencies to improve detection of and responses to marine mammal unusual mortality events.

In addition to its basic statutory obligations, in Fiscal Year 2009 the Commission is focusing on the following special activities—

- developing and updating species-specific monitoring strategies for Arctic marine mammals and convening a steering group to engage oceanographers, ecologists, agency managers, industry representatives, and Alaska Natives to that end;
- implementing a Web-based survey of federal funding for marine mammal research and conservation efforts to describe the manner in which those funds are used, identify gaps and unaddressed priorities, and promote a more coherent national funding strategy;
- conducting a review of marine mammal stock assessments to assess progress since 1994 and recommend areas of improvement in the coming decade;

- initiating a global assessment of marine mammals to (1) identify species and stocks at high risk of extinction, (2) characterize the most important risk factors, and (3) prioritize conservation efforts;
- integrating environmental analyses required under the National Environmental Policy Act, the Endangered Species Act, and the Marine Mammal Protection Act to streamline review processes while ensuring that analyses reflect the requirements of those laws;
- enhancing cumulative effects analyses, which are required under both the National Environmental Policy Act and the Endangered Species Act, but that often are poorly done and fail to meet Congressional intent as delineated in those laws;
- supporting negotiations under the auspices of the International Whaling Commission and aimed at resolving the current stalemate regarding commercial and research whaling;
- working with other U.S. agencies and Mexican counterparts to facilitate the recovery of the vaquita, a small and highly endangered harbor porpoise in the Gulf of California; and
- working with the U.S. Fish and Wildlife Service, Florida Solar Energy Center, and Florida Marine Research Institute to develop warm-water refuges for manatees.

In Fiscal Year 2009 the Commission and its Committee of Scientific Advisors held their annual meeting in Puerto Rico to discuss marine mammal issues in the Caribbean and Gulf of Mexico ecosystems. The meeting focused on—

- factors that pose risk to marine mammals in those regions, including climate change, commercial and recreational fishing, subsistence harvests, oil and gas operations, contaminants, dead zones, harmful algal blooms, noise, commercial shipping, coastal development, and ecotourism;
- U.S. obligations with regard to international marine mammal conservation;
- building of scientific and management capacity to conserve marine mammals in those regions;
- development of a Caribbean-wide marine mammal action plan and strategies to implement the plan;
- fishery take reduction measures for coastal bottlenose dolphins; and
- status of the Florida manatee and measures needed to identify and protect winter habitat.

Objectives for Fiscal Year 2010

In Fiscal Year 2010 the Commission will continue those activities (previously described) that are necessary to meet its statutory responsibilities and will—

- continue to develop assessment and conservation strategies for Arctic marine mammals at risk from climate change, with a focus on the polar bear;
- continue to review the Marine Mammal Protection Act stock assessment framework to identify shortcomings in its implementation, its utility in a rapidly changing marine environment, and new conservation and management strategies for the foreseeable future;
- continue its survey of federal funding for marine mammal research and conservation efforts to promote a more effective and cost-effective national funding strategy;

- promote assessment of the ecological effects of fishing to facilitate ecosystem-based management;
- promote investigation of sound effects and the efficacy of mitigation and monitoring measures;
- continue to develop strategies for addressing the cumulative effects of multiple risk factors as called for in the Endangered Species Act and National Environmental Policy Act;
- continue to develop a more objective basis for listing under the Endangered Species Act using population viability analysis;
- continue efforts to integrate environmental analyses under the Endangered Species Act, Marine Mammal Protection Act, and National Environmental Policy Act;
- continue to promote conservation of endangered, threatened, and depleted species;
- continue to promote more effective means of reducing ship strikes and entanglement of large whales, with emphasis on North Atlantic right whales;
- continue its global assessment of marine mammals to provide a basis for prioritizing international research and conservation efforts;
- initiate a small fund to build research, management, and conservation capacity for marine mammals in international waters with initial emphasis on the Caribbean region; and
- promote U.S. support for Mexico's efforts to recover the vaquita in the Gulf of California.

Fiscal Year 2010 Estimate

The Commission's Fiscal Year 2010 budget request of \$3,000,000 reflects an increase of \$600,000 over the President's budget request for Fiscal Year 2009 (i.e., \$2,400,000). The additional amount is to cover the costs of two additional staff members to focus on energy- and fisheries-related issues, increases in GSA fees and rent, inflation, and research and conservation activities related to marine mammals in international waters. All funds are used to meet our statutory responsibilities.

Identification code 95-2200 1-3-302	2008	2009	2010 (Est.)
Program and financing (\$ thousands)			
Budget authority	2,820	3,200	3,000
Carry over of 07/08 funds	908		
Total resources	3,728	3,200	3,000
Spending (\$ thousands)			
Personnel	1,730	1,785	2,097
Administrative costs	349	387	498
Research and travel	1,649	1,028	405

**MARINE MAMMAL COMMISSION
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FISCAL YEAR 2011**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
UNITED STATES SENATE**

19 January 2010

**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2011**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES**

19 January 2010

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by Title II of Public Law 92-522, as amended, \$3,000,000.

MARINE MAMMAL COMMISSION

Fiscal Year 2011

Background

Title II of the Marine Mammal Protection Act of 1972 created the Marine Mammal Commission as an independent agency of the Administration. The Commission consists of three members appointed by the President. The Commissioners are assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and fourteen full-time permanent staff.

The Commission's responsibilities include reviewing and making recommendations on domestic and international policies and actions of federal agencies to ensure that they are consistent with the directives of the Marine Mammal Protection Act. Marine mammals and ecosystems are subject to multiple risk factors, including direct and indirect fishery interactions; the introduction of noise, disease, and contaminants; harmful algal blooms and dead zones; ill-managed coastal development and other forms of habitat modification; collisions with vessels of all sizes; and climate change. On an increasing basis, the Commission consults with other federal agencies (e.g., National Marine Fisheries Service, Fish and Wildlife Service, Department of State, Navy, Minerals Management Service), state agencies (e.g., various Departments of Fish and Game), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals) regarding marine mammal and ecosystem research and management efforts to investigate those risk factors and identify cost-effective solutions. The Commission also helps develop and coordinate major multi-agency and international management and research initiatives aimed at facilitating marine mammal protection and conservation, as described in the Commission's annual reports to Congress. For more than three decades, the Commission has sought to be a source of objective and useful information, focused and catalytic research funding, and independent oversight. Major objectives for Fiscal Year (FY) 2009 through 2011 are described here.

FY 2009

The Marine Mammal Commission's FY 2009 budget was \$3,200,000, which it used to fulfill its statutory duties as set forth in the Marine Mammal Protection Act. Those activities included—

- review of all marine mammal stock assessment reports and related documents prepared by the National Marine Fisheries Service and Fish and Wildlife Service;
- review of all proposed research involving marine mammals;
- review of all applications for authorization to take marine mammals incidentally during the course of other activities (e.g., Navy exercises, seismic studies, coastal development projects);
- support for key research projects focused on matters critical to marine mammal conservation and management;
- consultation with the Department of State regarding research and measures needed to promote marine mammal conservation in foreign and international waters; and
- review of all proposals for listing, or changing the listing status of, marine mammals under the Endangered Species Act.

In addition, the Commission initiated or continued a number of special projects that it deemed essential to marine mammal protection and conservation. Those activities included—

- completion of a report describing a framework for marine mammal research in the Arctic to promote conservation in the face of climate change and increasing human activities (e.g., shipping, oil and gas development, commercial fishing, military activities, coastal development);
- initial development of a Web-based survey program to collect information on all federal funding directed at marine mammal research and management to facilitate a more coordinated national funding strategy that avoids unnecessary duplication and focuses resources on high-priority studies and measures;
- building of research and management capacity in foreign countries responsible for critically endangered marine mammal species and stocks (e.g., vaquita, river dolphins, western gray whales, sirenians);
- participation in an interagency project to develop a more objective basis for listing decisions under the Endangered Species Act; and
- monitoring of recovery programs for endangered, threatened, and depleted species including Hawaiian monk seals, Florida manatees, Cook Inlet beluga whales, Steller sea lions, North Atlantic right whales, North Pacific right whales, West Coast and Alaska sea otters, and vaquita.

FY 2010

The Marine Mammal Commission's FY 2010 budget is \$3,250,000. The Commission is using those funds to meet its statutory obligations, as well as to—

- review the stock assessment framework set forth in the Marine Mammal Protection Act, including shortcomings in its implementation, its utility in a changing marine environment, and potential strategies to promote conservation and management in the foreseeable future;
- implement the Web-based survey developed in FY 2009 to characterize the manner in which federal resources are distributed and used for marine mammal research and conservation;
- continue development of assessment and conservation strategies for Arctic marine mammals at risk from climate change and its physical, chemical, ecological, and human-related effects;
- investigate the indirect effects of commercial fishing to define the optimum yield in an ecological context and thereby provide a stronger basis for ecosystem-based management;
- initiate a Commission-led project to develop a more objective, quantitative basis for listing decisions under the Endangered Species Act;
- initiate a global assessment of marine mammals to provide a basis for prioritizing international research and conservation efforts;
- build research, management, and conservation capacity for marine mammals in international waters with emphasis on the Caribbean region, which shares a number of marine mammal species and stocks with the United States; and
- monitor recovery programs for endangered, threatened, and depleted species.

FY 2011

In FY 2011 the Marine Mammal Commission will continue to meet its basic statutory obligations. It also will continue to (a) promote more effective research and management of Arctic marine mammals, (b) implement its Web-based survey of federal funding for marine mammal research and management, (c) promote capacity-building for marine mammal research and management in other countries, and (d) monitor highly endangered species. In addition, it will initiate, continue, or complete the following four high-priority performance goals.

Goal 1: Harmonize environmental analyses conducted under the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act

The National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act all require analysis of proposed federal actions that may affect the environment. The required elements of these analyses overlap to a considerable degree, and existing regulations encourage integration to streamline the analytical process. Nonetheless, managers often conduct the analyses separately and in a serial fashion, sometimes resulting in long and costly delays before all analyses are completed and projects can be initiated. The Commission's goal will be to harmonize the requirements of the environmental analyses required under these three Acts to streamline the overall review process without compromising the integrity and utility of the analyses and their results.

Goal 2: Develop a more objective basis for listing decisions under the Endangered Species Act

Decisions to list, delist, or change the listing status of species under the Endangered Species Act are critical elements of our national strategy to maintain healthy terrestrial and marine ecosystems. Those decisions also can be highly controversial as they impose a number of statutory, regulatory, and policy-based constraints on those human activities that may jeopardize listed species or destroy or adversely modify their critical habitat. Although the terms "endangered" and "threatened" are defined in the Act, determinations as to when those standards apply have varied over time and by region, depending on the species involved and the implications for related human activities. The National Marine Fisheries Service, Fish and Wildlife Service, and Marine Mammal Commission have all sought to develop a more objective basis for listing decisions. The Commission's goal is to develop a more objective basis for listing decisions under the Endangered Species Act. Doing so will reduce the risks to (1) species truly at elevated risk of extinction and in need of additional protection and (2) human activities that may be unnecessarily affected when listing occurs but is not warranted.

Goal 3: Promoting conservation of marine mammals on a global scale

The Marine Mammal Protection Act was passed in 1972 in response to international threats to marine mammals. Despite considerable progress since then, many of the 122 extant species of marine mammals are vulnerable to multiple, ill-managed threats from human activities, have been poorly studied, and are at elevated risk of extirpation throughout parts of their range or even complete extinction. Resources to address these concerns are limited, and conservation efforts must be carefully prioritized if they are to be effective and cost-effective. Various organizations, scientists, and managers have completed a number of assessments on particular groups of species or types of threats, but none of these provides the comprehensive perspective needed to prioritize research and conservation actions on a global scale. The recent extinction of the Yangtze River dolphin and the peril facing multiple other marine mammal stocks highlight the need for a globally coordinated conservation effort. The Commission's goal will be to enhance conservation of the world's marine mammals by (1) providing a comprehensive but succinct description of their status, trends, and threats, and (2) prioritizing international conservation efforts and use of international resources.

**Goal 4: Improving analyses of the cumulative effects
of multiple risk factors on marine mammals and ecosystems**

The status of marine mammals depends on the cumulative effects of all risk factors combined. If risk factors are independent of each other, their effects will be additive. If they are related, they may interact synergistically or in a countervailing fashion. The significance of cumulative effects was recognized in the National Environmental Policy Act and the Endangered Species Act, both statutes requiring evaluation of cumulative effects in their environmental analyses. However, such analyses often are poorly done. As a result, science-based advice to decision-makers is compromised, increasing the potential for management error. The Commission's goal will be to improve cumulative effects analyses and thereby promote more effective decision-making regarding conservation of marine mammals and marine ecosystems.

FY 2011 Estimate

The Marine Mammal Commission's FY 2011 budget request is \$3,000,000, which is \$600,000 more than requested in FY 2010 and \$250,000 less than Congress budgeted for FY 2010. The additional amount requested is needed to support two additional staff ecologists for overseeing energy and fishery issues, plus additional funding for special projects outlined above. All the funds will be used to meet the Commission's statutory responsibilities.

Identification code 95-220 1-3-302	2009	2010	2011 (Est.)
Program and Financing (\$ thousands)			
Budget Authority	3,200	3,250	3,000
Total Budgetary Resources	3,200	3,250	3,000
Spending (\$ thousands)			
Personnel	1,669	2,077	2,175
Research and Special Projects	785	425	380
Rent and Utilities	200	205	210
Other	546	543	235



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FISCAL YEAR 2012**

**COMMITTEE ON APPROPRIATIONS
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UNITED STATES SENATE**

15 February 2011

**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2012**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES**

15 February 2011

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by Title II of Public Law 92-522, as amended, \$3,000,000.

MARINE MAMMAL COMMISSION

Fiscal Year 2012

Background

Title II of the Marine Mammal Protection Act of 1972 created the Marine Mammal Commission as an independent agency of the Administration. The Commission consists of three members appointed by the President with the consent of the Senate. It is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and fourteen full-time permanent staff.

The Act also established the major duties of the Commission as follows:

- (1) undertake a review and study of the activities of the United States pursuant to existing laws and international conventions relating to marine mammals, including, but not limited to, the International Convention for the Regulation of Whaling, the Whaling Convention Act of 1949, the Interim Convention on the Conservation of North Pacific Fur Seals, and the Fur Seal Act of 1966;
- (2) conduct a continuing review of the condition of the stocks of marine mammals, of methods for their protection and conservation, of humane means of taking marine mammals, of research programs conducted or proposed to be conducted under the authority of this Act, and of all applications for permits for scientific research, public display, or enhancing the survival or recovery of a species or stock;
- (3) undertake or cause to be undertaken such other studies as it deems necessary or desirable in connection with its assigned duties as to the protection and conservation of marine mammals;
- (4) recommend to the Secretary and to other federal officials such steps as it deems necessary or desirable for the protection and conservation of marine mammals;
- (5) recommend to the Secretary of State appropriate policies regarding existing international arrangements for the protection and conservation of marine mammals and suggest appropriate international arrangements for the protection and conservation of marine mammals;
- (6) recommend to the Secretary such revisions of the endangered species list and threatened species list published pursuant to section 4(c)(1) of the Endangered Species Act of 1973 as may be appropriate with regard to marine mammals; and
- (7) recommend to the Secretary, other appropriate federal officials, and Congress such additional measures as it deems necessary or desirable to further the policies of this Act, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihood may be adversely affected by actions taken pursuant to this Act.

To fulfill those duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the Marine Mammal Protection Act, which seeks to protect and conserve marine mammals as functioning elements of healthy, stable marine ecosystems. Marine mammals are subject to multiple human-related risk factors, including operational and ecological fishery interactions; the introduction of noise, disease, and contaminants; harmful algal blooms and dead zones; ill-managed coastal development and other forms of habitat modification; collisions with vessels of all sizes; and climate

Marine Mammal Commission

change. The Commission consults with other federal agencies (e.g., National Marine Fisheries Service; Fish and Wildlife Service; Department of State; Navy; Bureau of Energy Management, Regulation, and Enforcement), state agencies (e.g., various Departments of Fish and Game), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals) to characterize those risk factors and identify cost-effective solutions. The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation, as described in the Commission's annual reports to Congress. In all its work, the Commission seeks to be a source of useful information, focused and catalytic research funding, and independent and objective oversight. The following describes the Commission's main activities and major objectives for Fiscal Years (FY) 2010 through 2012.

FY 2010

For FY 2010 the Commission is using its Congressional allocation (\$3,250,000) to fulfill its statutory duties under the Marine Mammal Protection Act, including—

- reviewing all marine mammal stock assessment reports and related documents prepared by the National Marine Fisheries Service and Fish and Wildlife Service;
- reviewing all applications for authorization to take marine mammals incidentally during the course of other activities (e.g., Navy exercises, seismic studies, coastal development projects);
- reviewing all proposed research involving marine mammals;
- supporting key research projects focused on matters critical to marine mammal conservation and management;
- consulting with the Department of State and National Oceanic and Atmospheric Administration regarding research and measures needed to promote marine mammal conservation in foreign and international waters; and
- reviewing all proposals for listing, or changing the listing status of, marine mammals under the Endangered Species Act.

In addition, in FY 2010 the Commission initiated or continued a number of special projects that it deemed essential to marine mammal protection and conservation. Those activities included—

- developing a Web-based survey program to collect funding data from all federal agencies that fund marine mammal research and management activities;
- initiating a review of the stock assessment framework set forth in the Marine Mammal Protection Act to identify shortcomings in its implementation;
- initiating a Commission-led project to develop a more objective, quantitative, and consistent basis for listing decisions under the Endangered Species Act;
- reviewing an interaction between harbor seals and aquaculture in a Pacific coast estuary that is being managed by the National Park Service and may be designated as wilderness;
- participating in multi-agency efforts to develop better means for evaluating the cumulative effects of multiple human activities on marine mammals and marine ecosystems, including the Deepwater Horizon oil spill;

Marine Mammal Commission

- initiating a global assessment of marine mammals to provide a basis for prioritizing international research and conservation efforts;
- developing research and management capacity in foreign countries with critically endangered marine mammal species and stocks (e.g., vaquita, river dolphins, western gray whales); and
- monitoring of recovery programs for endangered, threatened, and depleted species including Hawaiian monk seals, Florida manatees, Cook Inlet beluga whales, Steller sea lions, North Atlantic right whales, North Pacific right whales, sea otters, and vaquita.

FY 2011 and FY 2012

For FY 2011 and FY 2012 the Commission's high-priority performance goals are as follows.

- (1) Develop a means for integrating environmental analyses conducted under the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act;
- (2) Develop a more objective basis for listing decisions under the Endangered Species Act;
- (3) Fully implement the Commission's survey of federal funding for marine mammal research and conservation; and
- (4) Review the Marine Mammal Protection Act stock assessment framework and its implementation by the National Marine Fisheries Service and Fish and Wildlife Service.

The third and fourth goals reflect some adjustment in direction relative to the Commission's FY 2011 budget submission. In that submission the third and fourth goals pertained to promoting marine mammal conservation on a global scale and improving analyses of cumulative effects of multiple risk factors on marine mammals and ecosystems. The Commission will continue to support marine mammal conservation on a global scale, such as completing its global assessment of marine mammals to guide research and recovery efforts. The Commission also will continue to participate in efforts to improve analysis of the cumulative effects. However, the Commission does not need to play a leading role as numerous other agencies and organizations are working on that topic.

Instead, the Commission believes that our nation's current economic situation necessitates greater cost-effectiveness in our efforts to study and conserve marine mammals and marine ecosystems. With that in mind, the Commission's third high-priority performance goal for FY 2011 and FY 2012 will be to complete implementation of its Web-based survey of federal funding for marine mammal research and conservation. Finally, in the past year the Commission has become more aware of and more concerned about existing shortcomings in marine mammal stock assessments. Lack of baseline information has become a serious impediment to conservation of numerous marine mammal stocks (1) in the Arctic, where climate change poses significant threats to the marine environment, (2) in the central and western Pacific, where fishing effort is extensive but largely unobserved, and (3) in the Gulf of Mexico, where lack of baseline information is a significant impediment to assessment of oil spill effects on marine mammals.

The Commission's high-priority performance goals for FY 2011 and FY 2012 are as follows.

Goal 1: Develop a means for integrating environmental analyses conducted under the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act

Problem statement: The National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act all require analysis of proposed federal actions that may affect the marine mammals or the ecosystems of which they are a part. The required elements of these analyses overlap to a considerable degree, and existing regulations encourage integration to streamline the analytical process. Nonetheless, the agencies responsible for completing these analyses often conduct them separately and in a serial fashion, sometimes resulting in long and costly delays before all analyses are completed and projects can be initiated.

Goal to be accomplished: The Commission's goal will be to integrate or harmonize the environmental analyses required under these three Acts. The approach will be to eliminate the redundancy that is inherent in the common components of the analyses and develop a single analytical framework that satisfies all their requirements. Doing so should streamline the overall review process without compromising the integrity and utility of the analytical results.

Goal 2: Develop a more objective basis for listing decisions under the Endangered Species Act

Problem statement: Decisions to list, delist, or change the listing status of species under the Endangered Species Act are critical elements of our national strategy to maintain healthy marine ecosystems. Those decisions can be highly controversial as they may lead to statutory, regulatory, and policy-based constraints on human activities that may jeopardize listed species or destroy or adversely modify their critical habitat. Listing criteria have varied over time and geographic area, depending on the species involved and the implications for related human activities. For some time, the National Marine Fisheries Service, Fish and Wildlife Service, and Marine Mammal Commission have sought to develop a more objective basis for listing decisions.

Goal to be accomplished: The goal of this project will be to develop an objective, quantitative basis for listing decisions under the Endangered Species Act. Doing so will reduce the risks to (1) species truly at elevated risk of extinction and in need of additional protection and (2) human activities that may be unnecessarily affected when listing occurs but is not warranted.

Goal 3: Fully implement the Commission's survey of federal funding for marine mammal research and conservation

Problem statement: Multiple federal agencies contribute resources toward research and conservation of marine mammals. However, the federal government does not have a coherent national strategy for maximizing the benefits of that funding. The Marine Mammal Commission has developed a Web-based survey of spending by federal agencies on marine mammal research and conservation to promote the development of such a strategy. Survey results will describe how agencies are using, and might make better use of, the limited resources presently available.

Goal to be accomplished: The Commission's goal is to ensure that the resources used for marine mammal research and conservation are directed toward the highest-priority goals, that research and conservation efforts are well coordinated, and that the responsible agencies can be held accountable for their use of the limited resources available for marine mammal research and conservation.

Goal 4: Review the Marine Mammal Protection Act's stock assessment framework and its implementation by the National Marine Fisheries Service and the Fish and Wildlife Service

Problem statement: Stock assessments conducted under section 118 of the Marine Mammal Protection Act are intended to provide the basic information needed to protect, recover, and conserve marine mammals that are affected by human activities. When completed, those assessments provide essential information on stock abundance, trends, productivity, threats, and status. To date, the National Marine Fisheries Service and Fish and Wildlife Service have had limited success in completing stock assessments, undermining protection and conservation efforts. Shortcomings are most evident in the Arctic, where the effects of climate change threaten multiple pinniped and cetacean stocks; in the central and western Pacific, where fisheries threaten multiple cetacean stocks; and in the Gulf of Mexico, where oil and gas activities, fisheries, military exercises, and coastal development threaten multiple cetacean stocks. The uncertainty regarding the effects of human activities on such stocks increases the likelihood of over- and under-protection errors and promotes crisis-based management that often leads to unnecessary controversy.

Goal to be accomplished: The goal is to assess implementation of the Marine Mammal Protection Act's stock assessment framework by the National Marine Fisheries Service and Fish and Wildlife Service to identify essential information gaps and shortcomings, and use that information as a basis for improving marine mammal research and conservation efforts in the future.

The Commission's scientific staff is completing this project and will depend on the Committee of Scientific Advisors on Marine Mammals for oversight. Completion of this project also will require cooperation of the Services, particularly with regard to identifying ways to address shortcomings. The Commission expects to complete this project by the first quarter of FY 2012.

MARINE MAMMAL COMMISSION

FY 2012

(in thousands of dollars)

Identification code 95-220 1-3-302	2010	2011 (Est.)	2012 (Est.)
Program and Financing (\$ thousands)			
Budget Authority	3,250	3,000	3,000
Total Budgetary Resources	3,250	3,000	3,000
Spending (\$ thousands)			
Personnel	2,077	2,175	2,163
Research and Special Projects	425	380	380
Rent and Utilities	205	210	209
Other	543	235	248



Marine Mammal Commission
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**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2013**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
UNITED STATES SENATE**

13 February 2012

**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2013**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED
AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES**

13 February 2012

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by Title II of Public Law 92-522, as amended, \$3,081,000.

**MARINE MAMMAL COMMISSION
FISCAL YEAR 2013**

Background

The primary objective of the Marine Mammal Protection Act of 1972 is to maintain the health and stability of the marine ecosystem. Title II of the Act created the Marine Mammal Commission as an independent agency of the Administration. The Commission consists of three members appointed by the President with the consent of the Senate. It is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and fourteen full-time permanent staff.

The Act also established the major duties of the Commission as follows:

- (1) undertake a review and study of the activities of the United States pursuant to existing laws and international conventions relating to marine mammals, including, but not limited to, the International Convention for the Regulation of Whaling, the Whaling Convention Act of 1949, the Interim Convention on the Conservation of North Pacific Fur Seals, and the Fur Seal Act of 1966;
- (2) conduct a continuing review of the condition of the stocks of marine mammals, of methods for their protection and conservation, of humane means of taking marine mammals, of research programs conducted or proposed to be conducted under the authority of this Act, and of all applications for permits for scientific research, public display, or enhancing the survival or recovery of a species or stock;
- (3) undertake or cause to be undertaken such other studies as it deems necessary or desirable in connection with its assigned duties as to the protection and conservation of marine mammals;
- (4) recommend to the Secretary and to other federal officials such steps as it deems necessary or desirable for the protection and conservation of marine mammals;
- (5) recommend to the Secretary of State appropriate policies regarding existing international arrangements for the protection and conservation of marine mammals and suggest appropriate international arrangements for the protection and conservation of marine mammals;
- (6) recommend to the Secretary such revisions of the endangered species list and threatened species list published pursuant to section 4(c)(1) of the Endangered Species Act of 1973 as may be appropriate with regard to marine mammals; and
- (7) recommend to the Secretary, other appropriate federal officials, and Congress such additional measures as it deems necessary or desirable to further the policies of this Act, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihood may be adversely affected by actions taken pursuant to this Act.

To fulfill those duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the objectives and provisions of the Marine Mammal Protection Act. Marine mammals are subject to multiple human-related risk factors, including operational and ecological fishery interactions; the introduction of noise, disease, and contaminants; harmful algal blooms and dead

Marine Mammal Commission

zones; ill-managed coastal development and other forms of habitat modification; collisions with vessels of all sizes; and climate disruption. The Commission consults with other federal agencies (e.g., National Marine Fisheries Service; Fish and Wildlife Service; Department of State; Navy; Bureau of Energy Management), state agencies (e.g., various Departments of Fish and Game), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals) to characterize those risk factors and identify cost-effective solutions. The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation. In all its work, the Commission seeks to be a source of useful information, focused and catalytic research funding, and independent and objective oversight. The following describes the Commission's main activities and major objectives for Fiscal Years (FY) 2011 through 2013.

FY 2011

For FY 2011 the Commission used its Congressional allocation (\$3,243,500) to fulfill its statutory duties under the Marine Mammal Protection Act, including—

- reviewing all marine mammal stock assessment reports and related documents prepared by the National Marine Fisheries Service and Fish and Wildlife Service;
- reviewing all applications for authorization to take marine mammals incidentally during the course of other activities (e.g., Navy exercises, seismic studies, coastal development projects);
- reviewing all proposed research involving marine mammals;
- supporting key research projects focused on matters critical to marine mammal conservation and management;
- consulting with the Department of State and National Oceanic and Atmospheric Administration regarding research and measures needed to promote marine mammal conservation in foreign and international waters; and
- reviewing all proposals for listing, or changing the listing status of, marine mammals under the Endangered Species Act.

In addition, in FY 2011 the Commission initiated or continued a number of special projects that it deemed essential to marine mammal protection and conservation. Those activities included—

- developing a Web-based survey program to collect data from all federal agencies on funding for marine mammal research and management activities;
- participating in multi-agency efforts to develop better means for evaluating the cumulative effects of multiple human activities on marine mammals and marine ecosystems;
- reviewing the potential for interaction between harbor seals and aquaculture in a Pacific coast estuary that is being managed by the National Park Service and may be designated as wilderness;
- monitoring recovery programs for endangered, threatened, and depleted species including Hawaiian monk seals, Florida manatees, Cook Inlet beluga whales, Steller sea lions, North Atlantic right whales, North Pacific right whales, sea otters, and vaquita;

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- continuing a global assessment of marine mammals to provide a basis for prioritizing international research and conservation efforts; and
- developing research and management capacity in foreign countries with critically endangered marine mammal species and stocks (e.g., vaquita, river dolphins).

FY 2012 and FY 2013

For FY 2012 and FY 2013 the Commission established the following high-priority performance goals.

Goal 1: Create a single analytical framework for environmental analyses conducted under the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act

Problem statement: The National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act all require analyses of proposed federal actions that may affect marine mammals or marine ecosystems. The analyses share many common elements and existing regulations encourage the integration of those analyses whenever possible to streamline the regulatory process. Nonetheless, the agencies responsible for completing the analyses generally conduct them separately and in a serial fashion, sometimes resulting in long and costly delays before all analyses are completed and projects can be initiated.

Goal to be accomplished: The Commission's goal will be to create a single analytical framework for integrating and harmonizing the environmental analyses required under the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act. The approach will be to develop a comprehensive framework that minimizes the redundancy inherent in the serial process currently used. Implementing such a framework should streamline the overall review process, cutting costs and time, without compromising the integrity and utility of the analytical results.

Goal 2: Prioritize marine mammal conservation issues to guide marine mammal research and conservation efforts during this period of limited resources

Problem statement: Our nation's environmental laws and regulations call for the use of the best available science for managing our natural resources. They also set scientific standards that, all too often, are not met. For example, the Marine Mammal Protection Act establishes standards for marine mammal stock assessments, but the assessments meet the standards for less than 10 percent of the stocks in the Gulf of Mexico. Stock assessments also are inadequate for marine mammals in the Arctic and in the central and western Pacific Ocean. The lack of essential information undermines conservation and management efforts, places species at unnecessary risks, and imposes unnecessary costs on activities that may not pose significant risks to marine mammals or other natural resources. This situation is not likely to change in the future if funding for research is reduced as anticipated.

Goal to be accomplished: Faced with tightening budgets, regulatory agencies responsible for protecting and conserving marine mammals (the National Marine Fisheries Service and the Fish and Wildlife Service) will need to make strategic decisions regarding where and how to use their resources. To provide useful recommendations and help the Services make those decisions, the Marine Mammal Commission will develop a prioritized list of conservation issues and measures

needed to address them. Such a list should help the Services maximize the benefits of their limited budgets by focusing on the issues of greatest conservation significance.

Goal 3: Review the National Marine Fisheries Service's Marine Mammal Health and Stranding Program

Problem statement: The 1987-88 die-off of bottlenose dolphins along the Atlantic coast revealed that marine mammals are valuable indicators of the health of our nation's marine ecosystems, often providing a warning to human populations of impending environmental problems. Studies of stranded animals have the potential to provide useful information on marine mammal biology, ecology, health, and the risk factors that affect their habitats and population status. Depending on the species, stranding responses are coordinated by the National Marine Fisheries Service or the Fish and Wildlife Service. The National Marine Fisheries Service's Marine Mammal Health and Stranding Program oversees responses to most stranded marine mammals and, therefore, is in a key position to evaluate changes to our marine ecosystems. Since the 1980s the number of unusual mortality events of marine mammals has increased substantially. Responses to those events vary by region. In some cases the responses have been timely and efficient and resulted in the completion of informative and useful reports. In others, the responses have been slow and inefficient and remain incomplete.

Goal to be accomplished: The Commission's goal will be to review the National Marine Fisheries Service's Marine Mammal Health and Stranding Program. The review will focus on progress made since the 1994 amendments to the Marine Mammal Protection Act and directions for the next five to ten years to enhance the program's efficiency and cost-effectiveness.

Goal 4: Complete the development of a more objective basis for listing decisions under the Endangered Species Act

Problem statement: Decisions to list, delist, or change the listing status of species under the Endangered Species Act are critical elements of our national strategy to maintain healthy marine ecosystems. Those decisions can be highly controversial as they may lead to statutory, regulatory, and policy-based constraints on human activities that have the potential to jeopardize listed species or destroy or adversely modify their critical habitat. Listing criteria have varied over time and geographic area, depending on the species involved and the implications for related human activities. For some time, the National Marine Fisheries Service, Fish and Wildlife Service, and Marine Mammal Commission have sought to develop a more objective basis for listing decisions.

Goal to be accomplished: The goal of this project will be to develop an objective, quantitative basis for listing decisions under the Endangered Species Act. Doing so will reduce the risks to (1) species truly at elevated risk of extinction and in need of additional protection and (2) human activities that may be unnecessarily constrained because of presumed impacts when listing occurs but is not warranted.

Goal 5: Complete a review of marine mammal stock assessments by the National Marine Fisheries Service and Fish and Wildlife Service

Problem statement: Stock assessments conducted under section 118 of the Marine Mammal Protection Act are intended to provide the basic information needed to protect, recover, and conserve marine mammals that are affected by human activities. When completed, those assessments provide essential information on stock abundance, trends, productivity, threats, and

Marine Mammal Commission

status. To date, the National Marine Fisheries Service and Fish and Wildlife Service have had limited success in completing stock assessments. Shortcomings are most evident in the Arctic, where the effects of climate disruption threaten multiple pinniped and cetacean stocks; in the central and western Pacific, where fisheries threaten multiple cetacean stocks; and in the Gulf of Mexico, where oil and gas activities, fisheries, military exercises, and coastal development pose risks to multiple cetacean stocks. The uncertainty regarding the effects of human activities on such stocks increases the likelihood of over-protection errors (i.e., providing additional but unnecessary protective measures) for some species and under-protection errors (i.e., failing to provide necessary protective measures) for others. Such uncertainty and errors tend to promote crisis-based management that leads to unnecessary and costly controversy.

Goal to be accomplished: The goal is to assess implementation of the Marine Mammal Protection Act's stock assessment framework by the National Marine Fisheries Service and Fish and Wildlife Service to identify essential information gaps and shortcomings, and use that information as a basis for improving marine mammal research and conservation efforts in the future.

Justification

The Commission's budget request for FY 2013 is five percent lower than FY 2011 enacted. The majority (88 percent) of the Commission's FY 2013 budget request would be used to maintain an office and the staff necessary to carry out the Commission's most basic responsibilities. The remaining 12 percent would cover (1) the Commission's annual meeting and other travel, both of which are essential if the Commission is to remain informed about conservation issues in different parts of the country and contribute to their resolution, and (2) the activities necessary to accomplish the Commission's high performance goals.

The Commission writes 10 to 12 letters per month to recommend research and management measures to federal agencies including, but not limited to, the National Marine Fisheries Service; Fish and Wildlife Service; Navy; Bureau of Ocean Energy Management; National Science Foundation; and U.S. Coast Guard. These letters pertain to numerous issues such as permit applications for research on marine mammals; issuing authorizations for incidental take of marine mammals during military training exercises, oil and gas development and production, and coastal development; reviewing environmental assessments and impact statements; developing recovery plans; convening of recovery teams; designating critical habitat; designating species as depleted, threatened, or endangered; reducing take of marine mammals in fisheries; listing of fisheries that take marine mammals; improving monitoring and mitigation methods used by agencies that introduce sound into the marine environment; coordinating research among agencies and multiple scientific disciplines; addressing issues related to marine mammal health and stranding (including marine mammal mortality events); importing fish products from fisheries that take marine mammals; reducing illegal, unregulated, and unreported fishing in international waters; developing a new ocean policy; and amending conservation legislation.

The Commission also reports on key conservation issues to summarize existing knowledge and make recommendations regarding future directions for marine mammal research and management. In recent years the Commission has completed reports on—

- Assessing the Long-term Effects of the BP Deepwater Horizon Oil Spill on Marine Mammals in the Gulf of Mexico: A Statement of Research Needs
- Establishing Protected Areas for Asian Freshwater Cetaceans

Marine Mammal Commission

- A Review of False Killer Whales in Hawaiian Waters
- Arctic Marine Mammals and Climate Change
- A Framework for Monitoring Arctic Marine Mammals
- Review of Co-management Efforts in Alaska
- The Effects of Tagging Large Whales
- Marine Mammals and Noise: A Sound Approach to Research and Management
- Underwater Sound and the Marine Mammal Acoustic Environment: A Guide to Fundamental Principles
- The Biological Viability of the Most Endangered Marine Mammals and the Cost-effectiveness of Protection Programs
- The Status of the North Atlantic Right Whale Recovery Program
- Endangered, Threatened, and Depleted Marine Mammals in U.S. Waters
- The Status of Protection Programs for Endangered, Threatened, and Depleted Marine Mammals in U.S. Waters
- Assessing the Population Viability of Endangered Marine Mammals in U.S. Waters

The recommendations from these reports are passed to the pertinent agencies and provide a basis for improving their research and management strategies. The recommendations are detailed in the Commission’s annual report to Congress, which summarizes for each year the major events affecting the conservation of marine mammals, particularly those in U.S. waters.

**MARINE MAMMAL COMMISSION
FY 2013
(in thousands of dollars)**

Identification code 95-220 1-3-302	2011	2012	2013 (Req.)
Program and Financing (\$ thousands)			
Budget Authority	3,243	3,025	3,081
Total Budgetary Resources	3,243	3,025	3,081
Spending (\$ thousands)			
Personnel	2097	2,163	2,187
Research and Special Projects	549	405	380
Rent and Utilities	206	209	208
Other	391	248	306



**Marine Mammal Commission
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Marine Mammal Commission

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**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2014**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
UNITED STATES SENATE**

**MARINE MAMMAL COMMISSION
JUSTIFICATION FOR ANNUAL APPROPRIATIONS
FISCAL YEAR 2014**

**COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
UNITED STATES HOUSE OF REPRESENTATIVES**

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by Title II of Public Law 92-522, as amended, \$3,431,000.

MARINE MAMMAL COMMISSION
Fiscal Year 2014

Background

Title II of the Marine Mammal Protection Act of 1972 created the Marine Mammal Commission as an independent agency of the Administration. The Commission consists of three members appointed by the President with the consent of the Senate. It is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and 14 full-time permanent staff.

The Act seeks to protect and conserve marine mammals as functioning elements of healthy, stable marine ecosystems. To that end, it assigned the Commission seven duties, as follows.

- (1) Undertake a review and study of the activities of the United States pursuant to existing laws and international conventions relating to marine mammals, including, but not limited to, the International Convention for the Regulation of Whaling, the Whaling Convention Act of 1949, the Interim Convention on the Conservation of North Pacific Fur Seals, and the Fur Seal Act of 1966
- (2) Conduct a continuing review of the condition of the stocks of marine mammals, of methods for their protection and conservation, of humane means of taking marine mammals, of research programs conducted or proposed to be conducted under the authority of this Act, and of all applications for permits for scientific research, public display, or enhancing the survival or recovery of a species or stock
- (3) Undertake or cause to be undertaken such other studies as it deems necessary or desirable in connection with its assigned duties as to the protection and conservation of marine mammals
- (4) Recommend to the Secretary [of Commerce or the Interior] and to other federal officials such steps as it deems necessary or desirable for the protection and conservation of marine mammals
- (5) Recommend to the Secretary of State appropriate policies regarding existing international arrangements for the protection and conservation of marine mammals and suggest appropriate international arrangements for the protection and conservation of marine mammals
- (6) Recommend to the Secretary such revisions of the endangered species list and threatened species list published pursuant to section 4(c)(1) of the Endangered Species Act of 1973 as may be appropriate with regard to marine mammals
- (7) Recommend to the Secretary, other appropriate federal officials, and Congress such additional measures as it deems necessary or desirable to further the policies of this Act, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihood may be adversely affected by actions taken pursuant to this Act

To fulfill those duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the Act. Marine mammals are subject to multiple human-related risk factors including operational and ecological fishery interactions; the introduction of noise, disease, and contaminants into the marine environment; the occurrence of harmful algal blooms and dead zones; ill-managed

coastal development and other forms of habitat degradation; collisions with vessels; and habitat degradation by climate disruption. The Commission consults with other federal agencies (e.g., National Oceanic and Atmospheric Administration, Fish and Wildlife Service, Department of State, Navy, Bureau of Ocean Energy Management), state agencies (e.g., various departments of fish, game, or wildlife), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals) to characterize those risk factors and identify cost-effective solutions. The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation, as described in the Commission's annual reports to Congress. In all its work, the Commission seeks to be a source of useful information, catalytic research funding, and independent and objective oversight. The following describes the Commission's main activities and major objectives for Fiscal Years (FY) 2012 to 2014.

FY 2012 and 2013

The Commission used its FY 2012 funding and is using its FY 2013 funding to support the following activities, which are all consistent with the statutory duties set forth in section 202 (and other sections as noted below) of the Marine Mammal Protection Act.

- Reviewing all marine mammal stock assessment reports and related documents prepared by the National Marine Fisheries Service and Fish and Wildlife Service
- Reviewing all applications for authorization to take marine mammals incidentally during the course of other activities (e.g., oil and gas development, seismic studies, military exercises, coastal development projects), as required under section 101 of the Act
- Reviewing all proposed research involving marine mammals and supporting key research projects focused on matters critical to marine mammal conservation and management, as required under section 104 of the Act
- Consulting with the Department of State, National Oceanic and Atmospheric Administration, and Fish and Wildlife Service regarding research and management measures needed to promote marine mammal conservation in foreign and international waters
- Reviewing all proposals for listing, or changing the listing status of, marine mammals under the Endangered Species Act
- Monitoring the effectiveness of recovery programs for endangered, threatened, and depleted species including the Hawaiian monk seal, Florida manatee, Cook Inlet beluga whale, Steller sea lion, North Atlantic right whale, North Pacific right whale, sea otter, and vaquita
- Promoting co-management of Alaskan marine mammals taken for subsistence purposes by Alaska Natives pursuant to section 119 of the Marine Mammal Protection Act
- Facilitating development of research and management capacity in foreign countries with critically endangered marine mammal species and stocks (e.g., vaquita, river dolphins, western gray whales)
- Participating in multi-agency meetings to bring oil and gas operations in the Gulf of Mexico into compliance with section 101 of the Marine Mammal Protection Act

FY 2014

In FY 2014 the Commission will continue to meet its statutory obligations as described above, and will seek to complete a number of high-priority performance goals. The goals are intended to help the federal government (particularly the National Marine Fisheries Service and the Fish and Wildlife Service) fulfill its conservation and management objectives in a more efficient and cost-effective manner. To that end, the Commission is working with those agencies to track the status of marine mammals, identify and resolve the most pressing conservation problems, better identify species needing protection under the Endangered Species Act, and assess and promote the efficient use of the resources being directed toward research and conservation efforts. The Commission's FY 2014 high-priority performance goals are as follows.

Goal 1: Continue its survey of federal resources directed toward marine mammal research and conservation

Problem: Numerous federal agencies direct resources toward research and conservation of marine mammals. The Marine Mammal Commission has developed a Web-based survey of federal agency spending for marine mammals to promote development of a coherent national strategy for maximizing benefits of that funding.

Goal: The goal is to encourage federal agencies to direct their marine mammal research and conservation resources toward the highest-priority needs, and to improve coordination across federal agencies.

Contributing agency and programs: The Commission's Scientific Program conducts the assessment. The Commission requires cooperation from all federal agencies that conduct or support research or conservation efforts on marine mammals.

Leads: The Commission's Scientific Program Director and Executive Director lead this project.

Strategy: The 2009 survey has been completed and is on the Commission's Web site.

- (1) The Commission has collected and is analyzing the data for a combined 2010-2011 report.
- (2) The Commission staff also is redesigning several aspects of the survey for the 2012 data collection and it expects to call for that data in September 2013.
- (3) The Commission expects to complete the 2010-2011 report by December 2013 and it expects to complete the 2012 report by June 2014.
- (4) When the Commission has brought these reports completely up-to-date, it will integrate them into its annual report to Congress rather than publishing them as separate reports.

Key measures: Ultimately, success will be measured by more efficient use of resources by federal agencies that conduct or support research and conservation activities on marine mammals. Such efficiency should be evident in (1) more completed stock assessments for marine mammals, (2) better research coordination among agencies whose actions affect marine mammals, (3) improved description and mitigation of marine mammal risk factors, (4) improved status of marine mammals and their habitat, and (5) fewer marine mammals listed as depleted, threatened, or endangered.

Requirements: The survey has been developed by, and will require the continued support of, an information technology firm.

Goal 2: Complete a review of marine mammal stock assessment efforts by the National Marine Fisheries Service

Problem: Section 117 of the Marine Mammal Protection Act sets forth the requirements for assessing marine mammal population stocks. Assessments should reflect the best information on stock structure and describe for each stock its geographic distribution, minimum population estimate, current and maximum net productivity level, current population trend, an estimate of the annual human-caused mortality and serious injury by source, and stock status. These stock assessments are most critical in the Arctic where climate disruption threatens multiple pinniped and cetacean stocks; in the central and western Pacific where fisheries threaten multiple cetacean stocks; and in the Gulf of Mexico, where oil and gas activities, fisheries, military exercises, shipping, and coastal development threaten multiple cetacean stocks. When these assessments are not conducted in a timely manner, the uncertainty regarding the status of potentially affected species and the potential effects of human activities increases the likelihood of implementing unnecessary protective measures in some cases and failing to implement necessary protective measures in others. In either case, such errors increase the tendency toward crisis-based management.

Goal: The goal is to assess implementation of the Marine Mammal Protection Act's stock assessment framework by the National Marine Fisheries Service to identify essential information gaps and shortcomings, and use that information as a basis for improving marine mammal research and conservation efforts in the future.

Contributing agencies and programs: The Commission's Scientific Program manages this project and it is doing so with the full cooperation of the National Marine Fisheries Service.

Leads: The Commission's Scientific Program Director and Executive Director are responsible for this project.

Strategy: The strategy involves the following steps.

- (1) Create a database of the key elements of the stock assessment framework (completed but to be updated with 2012 data as soon as those data are available)
- (2) Analyze the database to characterize national and regional trends (to be updated)
- (3) Complete a draft report of findings by June 2013
- (4) Review the draft report with the National Marine Fisheries Service by September 2013
- (5) Publish a report to Congress by December 2013

Key measures: The best proximate measure of success will be the completion of more stock assessment reports on a regional and national basis. Ultimately, completion of stock assessment reports should result in more effective management and conservation of marine mammal stocks and human activities that take marine mammals or adversely affect their habitat.

Requirements: The background work for this project has been completed and the National Marine Fisheries Service is working to make the 2012 data available by April 2013. The Commission will use those data to update its analyses and complete the draft report. After review by the National Marine Fisheries Service, the Commission will revise the report and finalize it by the end of the calendar year.

Goal 3: Prioritize marine mammal research and conservation efforts during this period of limited resources

Problem: The National Marine Fisheries Service is responsible for research and management of most marine mammals in U.S waters. Faced with tightening budgets, the Service will have to make difficult decisions about how it will use its resources to promote protection of marine mammals and marine ecosystems while minimizing unnecessary constraints on human activities. In short, it will have to prioritize the use of its limited resources.

Goal: The Marine Mammal Commission has been conducting a review of the National Marine Fisheries Service's scientific and management objectives on a region-by-region basis. The Commission will integrate that *information* and provide the National Marine Fisheries Service with its recommendations regarding those research and management activities that the Commission considers to be of highest priority. The goal of this project is to provide the best possible protection for marine mammals with the least amount of unnecessary disruption of human activities that pose risks to marine mammals.

Contributing agencies and programs: As indicated above, the Commission is working with the National Marine Fisheries Service and each of its six regional offices and science centers to complete this project.

Leads: The Commission's Scientific Program Director and Executive Director are responsible for achieving this goal. The Commission also is working on this project with a detailed staff member from the National Oceanic and Atmospheric Administration.

Strategy: The strategy involves the following steps.

- (1) Meeting separately with management and science leaders from each of the National Marine Fisheries Service's regions and the agency's Office of Science and Technology and Office of Protected Resources. These meeting will be completed in April 2013.
- (2) Integrating/synthesizing a summary of priority issues by June 2013
- (3) Reviewing the synthesis with the National Marine Fisheries Service by September 2013
- (4) Publishing a final report to Congress by December 2013

Key measures: Success will be reflected in more targeted research and management efforts, more efficient use of available resources, and more effective conservation efforts. The National Marine Fisheries Service will benefit from the process of setting priorities (for discussion with the Commission) and from assistance integrating its regional efforts into a national set of priorities. More targeted research and management efforts should reduce conflicts over listing of species as threatened or endangered and the lawsuits that often follow such conflicts.

Requirements: The Commission has met with each of the Service's regional offices and science centers and will meet with offices at the Service's headquarters in April 2013. The main costs for this project have been travel expenses needed to support those meetings.

**Goal 4: Develop a more objective basis for listing decisions
under the Endangered Species Act**

Problem: Decisions to list, delist, or change the listing status of species under the Endangered Species Act are critical elements of our national strategy to maintain healthy marine ecosystems. Those decisions can be controversial as they may lead to statutory, regulatory, and policy-based constraints on human activities that have the potential to jeopardize listed species or destroy or adversely modify critical habitat. Listing criteria have varied by species and over time and space. For some years, the National Marine Fisheries Service, Fish and Wildlife Service, and Marine Mammal Commission have sought a more objective basis for listing decisions.

Goal: The goal of this project is to reduce (1) potential effects on species at elevated risk of extinction and in need of additional protection and (2) constraints on human activities because of presumed impacts that lead to unnecessary listing. The goal will be accomplished by developing an objective, quantitative basis for listing decisions under the Endangered Species Act.

Contributing agency programs: The project requires cooperation with the National Marine Fisheries Service and Fish and Wildlife Service. It also may involve consultation with the Council on Environmental Quality and Office of Management and Budget. The Commission has issued grants to develop the background papers needed to undertake this project.

Leads: The Commission's Executive Director, Scientific Program Director, and General Counsel are leading this project.

Strategy: The strategy involves the following steps.

- (1) Create a database of all listed species (completed)
- (2) Characterize the criteria used to determine the listing status of those species (completed)
- (3) Evaluate past use of population viability analysis to estimate extinction risk during listing processes (completed, submitted for publication in a scientific journal)
- (4) Develop standards for objective, measurable criteria that, when met, would result in a determination that a listed species could be removed from the list of threatened and endangered species (completed, submitted for publication in a scientific journal)
- (5) Create a quantitative listing strategy using population viability analysis to estimate extinction risk over time for both data-rich and data-poor species (to be completed by June 2014)

Key measures: The best measures of success will be (a) more immediate attention to, and more effective conservation of, species requiring the protection that comes with listing, and (b) fewer listings of species that are not at elevated risk of extinction. The results should lead to more efficient use of the limited resources available to recover species at high risk of extinction.

Requirements: The analyses for this project have been supported through a grant to an academician and post-doctoral fellow. The academician recently died and the Commission is working with the post-doctoral fellow and the supporting university to develop a strategy for completing the project.

Goal 5: Complete a global assessment of marine mammal status and threats

Problem: The National Marine Fisheries Service and the Fish and Wildlife Service focus primarily on marine mammal species that occur, at least in part, in U.S. waters. Marine mammals and marine ecosystems also face a wide range of human-related threats at the global level (i.e., in foreign and international waters). Numerous marine mammal populations outside U.S. waters have been poorly studied. Many appear to be declining, likely as a direct or indirect consequence of human activities (e.g., fishing, shipping, noise, contaminants, harmful algal blooms, direct take). Maximizing the benefits of existing international resources requires setting research and conservation priorities for marine mammals outside U.S. waters.

Goal: The goal of this project is to develop a set of global priorities for marine mammal research and conservation. Such priorities will help us maximize our abilities and the abilities of other nations to protect and recover marine mammals and restore marine ecosystems. This goal is similar to Goal 3 above, but will require a different strategy because of the lack of information on many marine mammal species in foreign and international waters and the lack of resources to manage them.

Contributing agency programs: The Commission will enlist experts from other agencies, organizations, and nations to complete this assessment. The National Marine Fisheries Service has extensive expertise. The Commission also will tap expertise from the Society for Marine Mammalogy, which is the primary international society of marine mammal scientists.

Leads: The Commission's International and Policy Program Director will be responsible for managing the activities undertaken under this goal.

Strategy: Accomplishing this goal will require the following steps. The Commission—

- (1) has provided support for updating status assessments of pinnipeds (i.e., seals, sea lions, fur seals), sirenians (i.e., dugongs, manatees), and the polar bear
- (2) is presently completing an assessment of all mysticetes (i.e., baleen whales), which will be completed and submitted for publication by December 2013
- (3) also is creating a database to assess all odontocetes (i.e., toothed whales), which it expects to complete by June 2014
- (4) will convene an international team of marine mammal scientists to consider the major threats to marine mammal species and stocks, summarize changes in those threats over time and by region, and identify the species and stocks most in need of research and management attention
- (5) will then complete a report to Congress and disseminate that report to marine mammal research and conservation organizations on a global scale

Key measures: The success and utility of this project will be best measured using the rate of extinction/recovery of marine mammal species and populations over time and on a global scale. Major milestones involve completing status and threat assessments for each marine mammal group and then submitting an integrated summary report to Congress.

Requirements: The primary requirements will be staff time for developing the necessary database and conducting the needed analysis, resources for an international workshop of experts to review the Commission's work and assist with revisions, and printing/publication costs.

MARINE MAMMAL COMMISSION FY 2014
(in thousands of dollars)

FY 2013 Annualized CR—\$3,044		FY 2014 Appropriation Request—\$3,431
Salaries and Expenses: 95-2200-4		
FY 2014 Basic Operation Costs		
Personnel compensation		The total operating minimum of \$3,431 includes \$2,743 in operational costs other than research and travel, \$500 for research costs, and \$172 for travel. Personnel costs include a 1 percent increase in salaries. The total operating minimum will allow the Commission to continue to (1) meet its statutory obligations, including managing a research program; and (2) conduct high-priority tasks such as those outlined herein.
Permanent positions	1,636	
Positions other than permanent	130	
Personnel benefits	416	
Research	500	
Travel	172	
Rent	248	
Communications, utilities, postage	17	
MTIPS	31	
Printing	39	
Other services	198	
Supplies and materials	25	
Equipment	15	
Security	4	
Department of Labor	0.2	
Total Operating Minimum	\$3,431	

Planning Estimates and Personnel Summary

	FY 2013	FY 2014
Budget authority	\$3,044	\$3,431
Full-time permanent staff	14	14

JUSTIFICATION

The Commission’s baseline budget for FY 2014 is the annualized FY13 continuing resolution plus ATBs, \$3,044,000. Proposed increases above the baseline are \$371,000 for additional research and development activities in support of the Administration’s research and development priorities, and \$16,000 to allow a 1 percent increase in salaries (see below under “programmatic increases or anomalies”). The final total request is \$3,431,000. About 80 percent of the Commission’s FY 2014 budget request will be used to maintain an office and the staff necessary to carry out the Commission’s basic responsibilities. The remaining 20 percent (\$672,000) will be used for research and travel in support of the Commission’s high-priority performance goals, the Commission’s annual meeting, selected additional research topics, and travel to allow the Commissioners, members of the Committee of Scientific Advisors on Marine Mammals, and Commission staff to attend and participate in conservation efforts related to selected domestic, foreign, or international issues.

Economic growth

Economic growth is essential to the nation's well-being, but it also is one of the factors that pose risks to marine mammals and marine ecosystems. The Commission has steadfastly promoted a proactive approach for resolving potential conflicts between marine conservation and economic development—that is, an approach that seeks to address problems before they become crises with additional, unnecessary economic costs. For example, the Commission seeks ways to reduce operational and ecological interactions between marine mammals and fisheries, oil and gas activities, military exercises, and various forms of coastal development so that those activities are not unnecessarily constrained but, at the same time, marine mammals are adequately protected. The Marine Mammal Protection Act was one of the first acts of Congress to emphasize the importance of a proactive, ecosystem-based approach to the marine environment.

Investing in the future

If our nation is to pass on to future generations a world as rich in opportunity, beauty, and wonder as we inherited, it must develop more effective means of conserving that world, including marine mammals, in the face of growing human populations, consumption of resources, and unintended but significant adverse effects (e.g., climate disruption). The Commission's basic statutory duties are intended to ensure effective conservation at the present time. Its high-priority performance goals are intended to improve conservation efforts for the future when resource conflicts will undoubtedly increase and intensify. As our nation rebuilds its economy, it faces major challenges with regard to maintaining our marine ecosystems. Now more than ever, conservation efforts must be well focused and conceived, anticipatory, and effective. The Commission has long sought to ensure that our nation's conservation efforts meet the standards in the Marine Mammal Protection Act and related legislation. The high-priority performance goals described in this document are intended to ensure that future generations have the conservation tools they need.

Responsible governance

The Marine Mammal Commission makes every effort to govern responsibly by engaging all parties in controversial issues, ensuring that all perspectives are heard and considered, and ensuring that all parties subject to the consequences of Commission recommendations understand how and why those recommendations were developed. The Commission also realizes that some conservation issues will require decades to resolve and, in such cases, the best approach is to recommend management and conservation measures that are designed to reach conservation goals in a systematic, step-wise fashion. Indeed, many of its recommendations are designed to promote a progressive approach toward meeting the goals and objectives of the Marine Mammal Protection Act over the long term.

Program Changes for FY 2014

The additional \$371,000 included in the administration's initiative for research and development will provide resources for the Commission to undertake several projects that are aimed at important conservation issues and that also are consistent with and supportive of the Commission's high-priority performance plans. The projects are as follows:

I. Helping to conserve the vaquita

The vaquita is a harbor porpoise in the northern Gulf of California (Mexican waters). Shrimp gillnet fisheries that sell their product to U.S. markets have decimated the vaquita population and it now consists of about 200 individuals. The Commission will assist two international teams of scientists working to save this highly endangered species.

Passive acoustics: The first team is refining a groundbreaking assessment method using passive acoustic technology to create an index of vaquita abundance and determine their habitat use patterns. The method will have general application in assessment of marine mammals. Initial results have been particularly useful in determining the overlap of vaquita habitat and fishery effort. Those results also indicate that the equipment being used requires refurbishment and the grid of listening devices requires some spatial realignment.

Alternative fishing gear: The second international science team is developing alternative fishing gear (a trawl-like net similar to the gear used to fish shrimp in the Gulf of Mexico) that has been shown to catch shrimp but requires further testing to determine if it also catches finfish either purposely or as bycatch.

Goals and Budget: The costs for this activity are passive acoustic equipment (\$100K), convening of the international scientists managing the acoustic assessment project (\$25K), and testing alternative net designs to evaluate how they might be used to catch or avoid finfish (\$50K) for a total of \$175K. This project is consistent with the Commission's efforts to assess marine mammals globally (high-priority performance goal 5).

II. Developing a coastal health database

Marine mammals as ecosystem sentinels: Multiple lines of evidence indicate that the health of marine ecosystems is declining, particularly in coastal regions. The changes have important implications for marine organisms, but also have important implications for food safety and public health. Marine mammals are highly visible sentinels of ocean health, as is currently evident in the Gulf of Mexico, where over 800 dolphins have stranded on the Gulf's beaches since 2010.

Incorporating mortality events into IOOS: In the last two years biologists have documented at least three major "unusual mortality events" in U.S. waters, including in Alaskan waters, the Gulf of Mexico, and the New England coast. Despite numerous events in recent decades, the information describing them has not been incorporated into the U.S. Integrated Ocean Observing System (IOOS). Incorporating such data into IOOS will result in better understanding of harmful algal blooms (e.g., red tides in the Gulf of Mexico, domoic acid blooms along the West Coast), contaminants (e.g., oil spills, industrial runoff, pesticides), and the spread of pathogens (e.g., morbilliviruses, brucella), all of which also pose risks to the marine ecosystem and human health. A Commission staff member is working on an IOOS task team to consider how to incorporate additional core biological variables (possibly including marine mammals) into the IOOS. In addition, a Commissioner is working with the National Marine Fisheries Service to consider how to make marine mammal health and stranding data more widely available, including the possibility of incorporating those data into IOOS.

Goal and Budget: The Commission will use \$100K to develop a real-time database to incorporate data from mortality events involving marine mammals as well as seabirds, fish, and invertebrates into IOOS. The database would incorporate up-to-date information on all marine mammal stranding events including such things as species, numbers of animals, locations, initial findings, and possible causes. Guidelines for data collection have been developed for marine mammals. Management of the database would be key to its utility and the management goal would be to assure that data on stranding events involving marine mammals, seabirds, fish, and invertebrates would be available on a near real-time basis. The funding would be used to create and manage the database and disseminate the data to the

many stranding networks, wildlife managers, and agency staff along the U.S. coast. This project will provide information needed to improve stock assessments and prioritize conservation efforts (i.e., high-priority performance goals 2 and 3). This activity is also consistent with the Administration's priorities related to improved integration and accessibility of earth data.

III. Conservation of the North Pacific right whale

Population status: The eastern population of North Pacific right whales was hunted to the brink of extinction and is thought to number about 30 animals. These animals are found intermittently in the southeastern Bering Sea during summer months. Their winter breeding grounds are not known. Recent passive acoustic records indicate that their distribution may extend as far north as St. Lawrence Island.

Interactions with increasing human activities in the Arctic: This severely depleted population may be subject to increasing human activities in the Bering Strait region and, possibly, in the Chukchi Sea. Marine mammal scientists and Alaska Natives have observed numerous marine mammal species extending or shifting their range northward as the Arctic climate warms and sea ice recedes. If that is the case for North Pacific right whales, then they may interact—to their detriment—with increasing shipping, oil and gas development, and (eventually) fishing activities in the Arctic. The Bureau of Ocean Energy Management has supported some studies of North Pacific right whales, but its funding stopped when the North Aleutian Basin (southeastern Bering Sea) was closed to oil and gas development. Given the new information from passive acoustic monitoring, the propensity for marine mammals to shift their ranges to the north, and the increase in human activities in the Chukchi and Beaufort Seas, research is needed to describe the distribution and movements of this highly endangered population.

Goal and Budget: The Commission would use \$75K as seed money to facilitate multi-agency research on the distribution and movements of North Pacific right whales with the goal of identifying the best ways to protect them from interactions with human activities as those activities expand in the Arctic. The most useful approach might involve placement of additional listening devices in the Bering Strait to detect right whales (and other marine mammals) in that area. This project is consistent with the Commission's high-priority performance goals 2 and 3, which involve assessing marine mammal stocks and prioritizing research and conservation efforts.

IV. Developing a framework for consultation with Alaska Natives

Administrative direction: This and previous Administrations have emphasized the importance of consulting with Native Americans on issues that affect them (e.g., Executive Order 13175). Such consultation is particularly relevant in Alaska, where both natural and social environments are undergoing rapid disruption from a changing climate. The Administration is also focusing resources in this region to ensure the safe production of energy, to support commerce, and to protect the Arctic environment.

Developing Alaska Native capacity: Despite all good intentions, the consultation process between federal agencies and Alaska Natives is often ineffectual for reasons varying from cultural differences to limited resources. Agencies have developed a variety of policies and guidelines for such consultation, but implementation has fallen short in many cases. The Marine Mammal Commission held a meeting in December 2012 to discuss the state of

consultation efforts. The meeting included participants from a number of agencies and Alaska Native organizations. At the end of the meeting, the Commission agreed to help Alaska Natives develop a consultation framework intended to suit their needs.

Although not directly related to research, this activity is related to development and would have important implications for Arctic research. In fact, research on marine mammals has been substantially improved through better consultation with Alaska Natives. Alaska Natives along the Arctic coast have become important collaborators for researchers because of their familiarity with the harsh Arctic marine environment. For example, Alaska Natives have exercised their traditional ecological knowledge by devising methods for capturing various pinniped species for use in research. In addition, Alaska Natives taking marine mammals for subsistence purposes have become an important source of marine mammal samples for use in research, an arrangement referred to as “bio-sampling.”

Goal and Budget: The Commission would use \$50K to support the development of a framework for consultation between federal agencies and Alaska Natives. The broad goal of the framework would be to ensure that federal agencies are communicating effectively and cooperating on those issues that affect the lives and livelihoods of Alaska Natives, particularly with regard to their use of Alaska’s marine mammals and marine ecosystems. Research collaboration between scientists and Alaska Natives is an example of such consultation and cooperation.

Integrated performance information

Each month the Commission writes 10 to 12 letters to recommend research and management measures to federal agencies including, but not limited to, the National Marine Fisheries Service, Fish and Wildlife Service, Bureau of Ocean Energy Management, Navy, National Science Foundation, and U.S. Coast Guard. These letters pertain to numerous matters such as issuing permit applications for research on marine mammals; issuing authorizations for incidental take of marine mammals; reviewing environmental assessments and impact statements; developing recovery plans; convening of recovery teams; designating critical habitat; designating species as depleted, threatened, or endangered; reducing take of marine mammals in fisheries; listing fisheries that take marine mammals; improving monitoring and mitigation methods used by agencies that introduce sound into the marine environment; coordinating research among agencies and multiple scientific disciplines; addressing issues related to marine mammal health and stranding (including marine mammal mortality events); importing fish products from fisheries that take marine mammals; reducing illegal, unregulated, and unreported fishing in international waters; developing a new ocean policy; and amending conservation legislation.

The Commission also reports on key conservation issues to summarize existing knowledge and make recommendations regarding future directions for marine mammal research and management. In recent years the Commission has completed reports on—

Survey of Federally-funded Marine Mammal Research and Conservation: Fiscal Year 2009

Assessing the Long-term Effects of the BP Deepwater Horizon Oil Spill on Marine Mammals in the Gulf of Mexico: A Statement of Research Needs

Establishing Protected Areas for Asian Freshwater Cetaceans

A Review of False Killer Whales in Hawaiian Waters

Arctic Marine Mammals and Climate Change

A Framework for Monitoring Arctic Marine Mammals

Review of Co-management Efforts in Alaska

The Effects of Tagging Large Whales

Marine Mammals and Noise: A Sound Approach to Research and Management

Underwater Sound and the Marine Mammal Acoustic Environment: A Guide to Fundamental Principles

The Biological Viability of the Most Endangered Marine Mammals and the Cost-effectiveness of Protection Programs

The Status of the North Atlantic Right Whale Recovery Program

Endangered, Threatened, and Depleted Marine Mammals in U.S. Waters

The Status of Protection Programs for Endangered, Threatened, and Depleted Marine Mammals in U.S. Waters

Assessing the Population Viability of Endangered Marine Mammals in U.S. Waters

The recommendations from these reports are passed to the pertinent agencies and provide a basis for improving their research and management strategies. The recommendations are detailed in the Commission's annual report to Congress, which summarizes for each year the major events affecting the conservation of marine mammals, particularly those in U.S. waters.

Finally, the Commission completes an annual Performance and Accountability Report describing how it is meeting its seven duties set forth in the Marine Mammal Protection Act.

Tax and spending policy information

This topic is not relevant to the Commission.

Base programs

The Commission will use 80 percent of its FY 2014 budget to meet its basic statutory duties as set forth in the Marine Mammal Protection Act and described earlier in this document. These base funds will be used to maintain an office and staff to support the Commission to meet these statutory duties and to ensure its recommendations are based on the best available information.

Information technology

The Commission's budget request for FY 2014 achieves an agency-wide 10 percent reduction in IT spending, compared to the average spending on information technology (IT) from FY 2010 through 2012. It achieves that reduction by limiting funds for new equipment (e.g., computers, monitors, printers, software). The Commission will limit its FY 2014 expenditures for new equipment to emergencies and replacement of existing hardware as required.

Beginning in FY 2013, the Commission is incorporating a new Managed Trusted Internet Protocol Service (MTIPS) to comply with directives on Trusted Internet Connections from OMB and the Department of Homeland Security. The Commission considers this a security issue rather than an IT issue, and has not included MTIPS costs in its 10 percent reduction in IT spending.

Overseas contingency operations

Under the requested FY 2014 budget, the Commission will continue to promote capacity building for conservation of highly endangered marine mammals in foreign and international waters.

Improving employee engagement, satisfaction, and wellness

The Marine Mammal Commission is dedicated to maintaining the satisfaction and wellness of its employees. The Commission participates in the OPM Federal Human Capital Survey and in the off years the Commission contracts with OPM to develop and distribute a Human Capital Survey to Commission staff. The Commission discusses the results of these surveys with its staff to solicit ideas for improving operations. The Commission also holds monthly meetings for senior staff and weekly meetings for all staff to discuss the activities and objectives of each staff member and provide an opportunity to discuss Commission activities and direction. In addition, the Commission's Chief Administrative Officer and Executive Director are available at all times to individual staff members to discuss issues related to their job satisfaction. The Commission also sponsors staff training in a wide range of topics related to the Commission's responsibilities, which are intended to help staff members increase or develop their skills and improve their performance.

The Commission is not housed in a federal building and does not have a fitness facility or health clinic. It does have a small kitchen area with refrigerator, microwave, and sink where employees can store and prepare healthy foods. In addition, the Commission's office building has a privately-owned cafeteria that offers healthy food including a variety of fresh fruits and vegetables.

In FY 2009 the Commission purchased an Automated External Defibrillator and contracted with the American Red Cross to train staff in cardiopulmonary resuscitation. The American Red Cross requires annual recertification for use of the defibrillator and for cardiopulmonary resuscitation and staff members are provided the opportunity for recertification. In FY 2014 staff again will be provided the opportunity to update their certifications. Also, the Commission regularly (i.e., biennially) schedules seminars to inform staff about matters such as retirement.

Finally, the Commission encourages its staff members to participate (on a limited basis) in field research both to ensure that they are up-to-date on the latest research techniques, to provide some diversity in their work schedules, and to maintain staff morale and productivity.



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MARINE MAMMAL COMMISSION

FY 2015

PRESIDENT'S BUDGET

for the

Marine Mammal Commission

March 2014

MARINE MAMMAL COMMISSION Fiscal Year 2015

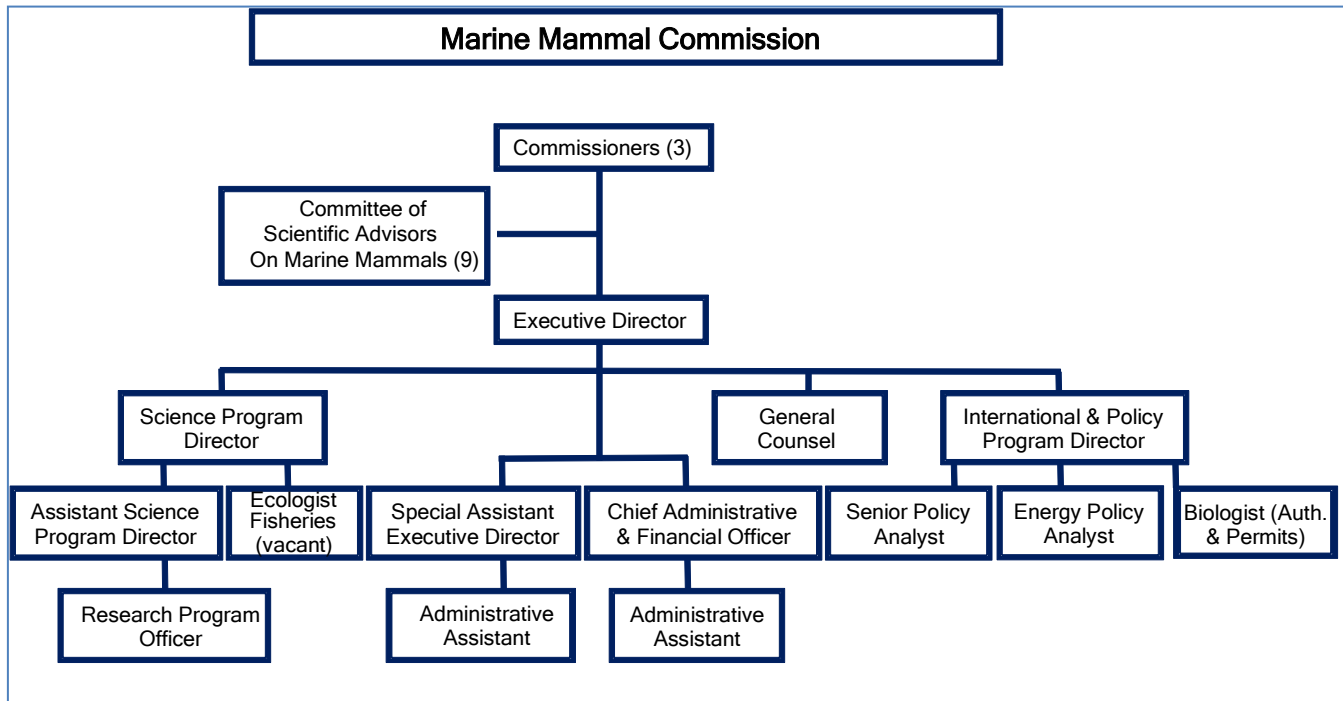
Overview

Title II of the Marine Mammal Protection Act (MMPA) of 1972 created the Marine Mammal Commission (Commission) as an independent agency of the Administration. The Commission consists of three members appointed by the President with the consent of the Senate. It is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and 14 full-time permanent staff.

The MMPA seeks to protect and conserve marine mammals as functioning elements of healthy, stable marine ecosystems. To that end, Section 202 of the MMPA assigned the Commission seven duties which include regular review of domestic and international actions to implement the MMPA, such as stock assessments, regulatory documents, policy guidance, and scientific research. The Commission is charged with making recommendations to other agencies on measures it deems necessary or desirable to further the policies of the MMPA, including provisions for the protection of the Indians, Eskimos, and Aleuts whose livelihoods may be impacted by commercial or other activities affecting marine mammals.

To fulfill its duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the MMPA. Marine mammals are subject to multiple human-related risk factors including direct and indirect fishery interactions; vessel strikes; noise; disease; contaminants; marine debris; harmful algal blooms; dead zones; coastal development; and climate change. To characterize risk factors and minimize harm to marine mammals from human activities, the Commission consults with other federal agencies (e.g., National Oceanic and Atmospheric Administration (NOAA), Fish and Wildlife Service (FWS), Navy (USN), Bureau of Ocean Energy Management (BOEM), state agencies (e.g., various departments of fish, game, or wildlife), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals and species/region-specific Alaska Native Organizations). The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation, as described in the Commission's annual reports to Congress. In all its work, the Commission seeks to be a source of useful information, catalytic research funding, and independent and objective oversight.

Organization



Statutory Duties

The Commission is charged with fulfilling basic statutory duties as set forth in section 202 and other sections of the MMPA, which include the following:

- Reviewing all marine mammal stock assessment reports and related documents prepared by NMFS and the FWS
- Reviewing all applications for authorization to take marine mammals incidental to activities other than commercial fisheries (e.g., oil and gas development, seismic studies, military exercises, coastal development projects), as required under section 101(a)(5) of the MMPA
- Reviewing all proposed research and permit requests involving marine mammals as required under section 104 of the MMPA, and supporting key research projects focused on matters critical to marine mammal conservation and management
- Consulting with the Department of State, NOAA, and the FWS regarding research and management measures needed to promote marine mammal conservation in foreign and international waters
- Reviewing all proposals for listing, or changing the listing status of, marine mammals under the Endangered Species Act (ESA)
- Enhancing and monitoring the effectiveness of recovery programs for endangered, threatened, and depleted species such as the Hawaiian monk seal, Cook Inlet beluga whale, southern resident killer whale, western Steller sea lion, North Atlantic right whale, North Pacific right whale, southern sea otter, polar bear, bearded and ringed seals, and Florida manatee

- Promoting co-management of marine mammals taken for subsistence purposes by Alaska Natives pursuant to section 119 of the MMPA, as well as effective implementation of the consultation process under Executive Order 13175
- Facilitating development of research and management capacity in foreign countries with critically endangered marine mammal species and stocks (e.g., vaquita, river dolphins, western gray whales)

The Commission's Strategic Plan for 2015-2019

The Commission has just completed its first comprehensive, five-year strategic planning process, which included soliciting public input. The following outlines the basic components of the Commission's Strategic Plan for 2015-2019; the complete version of the plan is posted on the Commission's website.

Vision

Global marine mammal populations are restored and maintained as functioning elements of healthy marine ecosystems for future generations, with human activities managed to minimize impacts on those populations and systems.

Strategic Goal

Ensure the protection and conservation of marine mammals as functioning elements of healthy marine ecosystems through science-based mitigation and monitoring of anthropogenic impacts on marine mammal populations and their ecosystems.

Strategic Objectives

It is increasingly challenging for government agencies, including the Commission, to harness the financial and human resources to address fully all of the issues surrounding marine mammals. Therefore, during the next five years, the Commission will focus on five primary Strategic Objectives. Each Strategic Objective reflects specific statutory elements under the MMPA and addresses key issues that are critical to ensuring the protection and conservation of marine mammals. As an oversight agency with no direct regulatory authority, the Commission will work closely with other federal agencies and state, local, and tribal governments to meet these Strategic Objectives.

Strategic Objective 1: Marine mammal populations in the Arctic are maintained as viable functioning elements of their ecosystems through management measures that address direct and indirect effects of climate change and the ensuing economic, scientific, and other activities in the region.

Strategic Objective 2: Scientifically robust mitigation and monitoring measures are developed, refined, and implemented in order to prevent, minimize, or mitigate the impacts of offshore oil and gas and renewable energy activities on marine mammals and their ecosystems.

Strategic Objective 3: Marine mammal strandings are more thoroughly investigated and analyzed to improve understanding of the factors causing mortality and affecting the health of marine mammals, determine the efficacy of measures such as ship speed reduction to reduce mortality, and elucidate the relationships between marine mammal health and human health and ecosystem services.

Strategic Objective 4: Anthropogenic threats to marine mammals, particularly those most vulnerable to extinction, are identified and reduced in the coastal and fresh waters of other nations and on the high seas worldwide, through bilateral and multilateral scientific and conservation efforts and sharing of expertise.

Strategic Objective 5: Understanding of human impacts on marine mammals and their ecosystems, and the management of those impacts, is improved through enhanced scientific research, policy analysis, and information dissemination.

High Priority Performance Projects for FY 2015

In FY 2015 the Commission will continue to meet its statutory duties as described above, and will seek to initiate, continue, or complete a number of high-priority performance projects designed to provide tangible progress toward meeting the Commission's Strategic Objectives. The projects are intended to help the federal government (particularly NMFS and the FWS) fulfill its conservation and management objectives more effectively and efficiently. To that end, the Commission is working with those agencies to track the status of marine mammals, identify and resolve the most pressing conservation problems, better identify species needing heightened protection under the ESA, and assess and promote the efficient use of the resources being directed toward research and conservation efforts. The Commission's FY 2015-19 high-priority performance projects are as follows.

High Priority Project 1: Promote and help coordinate research, monitoring, conservation efforts, and federal policies regarding marine mammals in the Arctic; and provide guidance on domestic and international marine mammal-related research and other activities planned or underway in the Arctic.

Problem: Arctic marine mammals and their ecosystems are profoundly impacted by climate change and the consequent increase in human activities (e.g., energy resource extraction, shipping, fishing). Habitat changes are adversely affecting or predicted to affect ice-dependent species, most notably the polar bear, walrus, and ice seals (i.e., for Alaska, ringed, spotted, ribbon, and bearded seals). The same factors will have potentially severe effects on Alaska Natives who depend on marine mammals for subsistence and maintenance of their culture. Furthermore, baseline conditions in the Arctic must be better understood before offshore energy development and other human activities (e.g., commercial shipping and fishing) expand further in this region. Recent efforts to assess and minimize the impacts of the Deepwater Horizon oil spill in the Gulf of Mexico highlighted information gaps and the importance of having adequate baseline information against which to assess impacts and the effectiveness of response actions to address these impacts. Considerable research is needed to support responsible development in the Arctic Ocean that does not compromise the conservation of Arctic marine mammals or negatively affect Alaska Natives'

subsistence and cultural heritage associated with those marine mammals. Many studies of marine mammals are underway in the Arctic and should be well coordinated and managed under clear overarching priorities and goals.

To promote and facilitate identification, cooperative planning and conduct of needed research, and monitoring and conservation programs in the Arctic, this project will require the Commission, in consultation with the Committee of Scientific Advisors and relevant collaborators to:

- participate in Arctic science meetings to understand ongoing research, help identify gaps, and prioritize research and conservation needs;
- assist in identifying needed baseline research to support impact assessment and inform mitigation and monitoring efforts for industry activities;
- support research to understand shifting marine mammal distributions and ecological relationships due to climate change in the Arctic;
- participate in the development of federal and international strategic plans for Arctic marine mammal and ecosystem research; and
- develop and provide recommendations to the responsible science and regulatory agencies for research, monitoring, and regulatory priorities and allocation of funds and logistical support.

High Priority Project 2: Develop global priorities for marine mammal research and conservation. Such priorities will help maximize U.S. government effectiveness and influence the efforts of other nations to protect marine mammals, enable the recovery of endangered and depleted species and populations, and maintain healthy marine ecosystems.

Problem: While federal efforts focus primarily on marine mammal species and populations that occur, at least in part, in U.S. waters, marine mammals and marine (and freshwater) ecosystems also face a wide range of human-related threats at the global level (i.e., in foreign and international waters). Numerous marine mammal populations outside U.S. waters have been poorly studied and many are declining as a direct or indirect consequence of the same human activities that affect populations in U.S. waters (e.g., fishing, shipping, sound, contaminants, harmful algal blooms, directed taking). Maximizing the benefits of existing international resources requires setting research and conservation priorities for marine mammals and ecosystems on a global basis in order to complement and set in context the Commission's ongoing commitments to improve the conservation of species of special concern in U.S. waters.

This project will require the Commission to:

- complete a global assessment of all baleen whales (i.e., mysticetes);
- identify and summarize relevant information on the world's 25 most threatened species, subspecies, or populations of toothed cetaceans (i.e., odontocetes) – dolphins, porpoises, and toothed whales;

- provide support (technical, funding) to IUCN Specialist Groups for updating Red List status assessments of cetaceans, pinnipeds, and sirenians;
 - integrate or encourage others to integrate species-based assessments into broader analyses of the major threats to marine mammals and changes in those threats over time and by region, and to identify the species and populations most in need of research, monitoring, and conservation, including those that occur both inside and outside U.S. jurisdiction; and
 - provide information on global marine mammal conservation priorities to Congress, U.S. agencies, and marine mammal research and conservation organizations globally.
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High Priority Project 3: Promote, facilitate, and encourage the development of comprehensive, long-term monitoring programs for marine mammals to better understand potential impacts of offshore energy activities.

Problem: The individual and cumulative impacts of offshore energy development on the survival and reproduction of marine mammal populations are largely unknown, despite the long history of energy development activities on the U.S. Outer Continental Shelf. A comprehensive assessment of those impacts depends on the availability of (1) baseline information on the abundance, distribution, stock structure, movement patterns, demographics, and health of marine mammal populations; (2) environmental and oceanographic conditions at energy development locations; and (3) better information regarding the impacts of energy-related activities, such as sound associated with geophysical surveys, drilling, pile driving, and support activities, and exposure to oil and other contaminants from both routine discharges and catastrophic spills. Collecting baseline information is challenging because environmental conditions vary from year to year due to both natural perturbations and human activities. Understanding this variability requires a long-term commitment of effort and resources to monitoring marine mammal populations before, during, and after energy development activities. If such information is not collected, insufficient knowledge will be available from which to gauge adverse effects associated with energy development and for responsible conservation of the trust resources within marine ecosystems. Comprehensive, long-term monitoring programs are a key part of the development of a more robust regulatory framework by NMFS, BOEM, and FWS for authorizing marine mammal takes associated with offshore energy activities.

This project will require the Commission and relevant partners to:

- take steps to convene a workshop or other forum to identify high-priority data gaps for assessing the status and trends of marine mammal populations in at least one active offshore energy area and develop a framework for addressing those gaps over a multi-year timeframe. This will involve the evaluation of both newly developed and traditional data collection methods and platforms, including vessel and aerial surveys, passive acoustic monitoring, photo-identification and biopsy surveys, health assessments of free-ranging animals, examinations of stranded animals, and activity-dependent data collection by protected species observers and industry-contracted scientists;
- highlight the need to include specific data collection activities in federal agency research and planning documents, industry research and monitoring programs, and monitoring programs

required under MMPA incidental take authorizations and/or permits issued under the Outer Continental Shelf Lands Act; and

- expand this approach and develop similar strategies for long-term monitoring of marine mammal populations in other offshore energy areas.

High Priority Project 4: Promote and facilitate development of a national coordinated marine mammal health monitoring system as a component of the Integrated Ocean Observing System (IOOS).

Problem: A recent rise in reported diseases in marine organisms and marine mammal stranding events has raised concerns that ocean health is deteriorating. This rise has important implications not only for marine organisms, but also for human food safety and public health. The Marine Mammal Health and Stranding Program of NMFS, including the Prescott Program, addresses stranding response and data collection and sharing. However, there are no consistent, integrated long-term data sets that link the information obtained from strandings with other critical ocean indicators to assess the spatial and temporal changes in marine mammal health and the environmental factors contributing to those trends. Marine mammals can be sentinels of ocean health and some of their diseases are transmissible to humans – for example two strains of influenza virus detected in seals on both the east and west coasts of North America, *Brucella* spp. detected in bottlenose dolphins in the Gulf of Mexico, and *Coxiella burnetii* detected in marine mammals in Washington state and the Pribilof Islands.

This project will require the Commission and relevant partners to create a near real-time data distribution and archiving system to incorporate marine mammal health and mortality information from California into IOOS, including mechanisms to quantify use of the data through this system. This will allow the systematic collection of data on marine mammal health and mortality for California through collaborations with NOAA, FWS, and California Department of Fish and Wildlife, and incorporate those data into IOOS through the Central and Northern California Ocean Observing System (CeNCOOS), one of the west coast Regional Associations (non-federal partners of IOOS). This California trial will be evaluated (including limitations of the approach and data available), and a report will be prepared on trends detected in marine mammal health and stranding patterns.

Based on the results of this trial, the Commission and its partners will explore possible expansion of the system developed for California to include the contiguous west coast and consider including health and stranding information from other marine mammals under the jurisdiction of FWS (sea otters, walrus) and other marine species such as sea birds. The Commission will lead an interagency workshop to develop a national strategy for marine mammal health and mortality mapping using information from the west coast study to guide the effort. The health mapping data will be used to illustrate the role of marine mammals as ecosystem sentinels by integrating health data and information on threats (e.g., ships and other sound sources).

High Priority Project 5: Identify improvements to marine mammal stock assessments by facilitating the development of estimation methods that account for unobserved serious injuries and deaths of whales due to entanglements in fishing gear or ship strikes.

Problem: The number of large whales that are seriously injured or killed by entanglement in fishing gear or by being struck by ships appears to be growing. The mitigation and conservation actions taken by NMFS are in large part determined by the magnitude of those injuries and deaths relative to the agency's estimates of the PBR level for each stock of whales. NMFS's estimates of how many whales are seriously injured or killed by entanglement or ship strike are based on strandings, at-sea observations, and reports from fisheries observers, fishermen, and other mariners. Experts agree, however, that those figures typically are underestimates. In most cases, the true number of whales killed or seriously injured is probably much greater than the number detected because of the loss of carcasses due to sinking and scavenging, the failure to discover stranded whales in remote areas, and the difficulty of detecting and assessing injuries at sea. For example, a recent study of 14 species of whales and dolphins in the Gulf of Mexico estimated that the number of dead animals detected was on average just 2.0 percent of the likely total mortality (natural plus human-caused) in those species. The estimated detection rate for sperm whales, the only large, common whale species in that study, was 3.4 percent. In addition, researchers estimated that over the course of a two-year unusual mortality event along the Pacific coast just 4 to 14 percent of the carcasses of gray whales that died were detected. These studies, and several others, suggest that the actual total mortality rate for large whales is much greater than the rate at which deaths are detected. If so, it is likely that in many cases, the impacts of fishing and ship strikes on large whales are substantially underestimated (i.e., the actual human-caused mortality rate is much greater than the rate at which human-caused deaths are detected), and consequently agencies are not mitigating those impacts adequately. It is clear that new approaches are required if the impacts of fishing, ship traffic, and other anthropogenic mortality factors on large whales are to be assessed accurately.

This project will require the Commission and relevant partners to:

- collaborate with NMFS to develop methods to estimate accurately the total numbers of human-caused serious injuries and deaths of large whales through workshops focusing on process descriptions and modeling;
- provide seed funding, as available, for research and synthesis of existing data on population dynamics of large whales including data on entanglement and ship strike rates; and
- collaborate with NMFS regarding the incorporation of the serious injury and mortality estimates into its stock assessments and into mitigation and conservation actions.

Major Management Priorities

The Commission continues to strive for increased effectiveness and efficiency in accomplishing its most critical mission. Personnel and financial resources are dedicated to the highest-priority work as developed through regular strategic planning and prioritization exercises. High-priority performance goals are established under the leadership of the three Commissioners, in

consultation with the Committee of Scientific Advisors. Those goals are meant to reflect the most critical issues facing the agencies responsible for implementing the MMPA. The goals are also informed by Commission efforts to establish research priorities to guide federal funding for marine mammal research and conservation, particularly in times of constrained budgets. For example, the Commission's Survey of Federally Funded Research seeks to identify redundancies and/or gaps in scientific activities, in an effort to ensure the most effective use of limited funds.

In addition to the high-priority goals mentioned above, the Commission will achieve operational efficiencies through the following management-focused priority actions:

- reduce and realign administrative staff where possible to increase availability of budget for core programs;
- streamline tasks and reduce costs by using available technology, (i.e., use of desktop publishing software, video conferencing) and sharing resources with other federal agencies (e.g. library services);
- reduce costs of publications through on-line publishing rather than printing hard copies of the Annual Report to Congress, the Survey of Federally Funded Research, and other reports;
- streamline Commission Annual Reports to focus on core activities, particularly those not otherwise described on the Commission's website
- make optimal use of detailees, interns, and fellows;
- encourage public-private collaboration with industry, foundations, and NGOs, as appropriate, particularly for covering travel costs of partners whose attendance is critical to successful workshops and meetings; and
- promote a policy, as appropriate, making Commission research funding contingent upon matching funds or in-kind support.

MARINE MAMMAL COMMISSION

FY 2015

(in thousands of dollars)

Identification code 95-2200-0-1-302	2013	2014	2015 (Req.)
Program and Financing (\$ thousands)			
Budget Authority	2,865	3,250	3,431
Total Budgetary Resources	2,865	3,250	3,431
Spending (\$ thousands)			
Personnel	2,066	1,955	2,170
Research and Special Projects	262	537	537
Rent, Communication and Utilities	211	231	234
Other	326	527	490

Multi-Year Planning Estimates

	FY 2014	FY 2015 (President's Budget request)	FY 2016
Budget authority	\$3,250	\$3,431	\$3,431
Outlay	\$3,250	\$3,431	\$3,431

Personnel Summary

	FY 2014	FY 2015	FY 2016
Full-time permanent	14	14	14
Total	14	14	14

JUSTIFICATION

The Commission is the sole independent federal commission charged with oversight of implementation of the MMPA and its many mandates. In collaboration with the major federal agencies charged with marine mammal science and management, the Commission advises on basic research and stock assessments, including identification of key research priorities, with the aim of avoiding duplication and ensuring effective use of scarce research funds. The Commission also strives for rigorous review of scientific results and the use of these results in management to develop, improve, or evaluate mitigation measures. As explained in the following section, the Commission believes that advances in scientific knowledge can allow more tailored mitigation measures for the conservation of marine mammals such that economic development is not unnecessarily constrained when minimizing impacts to marine mammals and the marine ecosystems upon which they depend. In encouraging partnerships and collaboration, the Commission seeks to leverage financial and in-kind resources to contribute to the science and conservation of marine mammals.

The Commission's budget request for FY 2015 is \$3.431 m, an increase of \$181,000 over the FY14 enacted level . This funding level will allow the Commission to continue its work on four special research projects. The majority (78 percent) of the Commission's FY 2015 budget request would be used to maintain an office and the staff necessary to carry out the Commission's basic responsibilities. The remaining amount (22 percent) would be used for: research in support of the Commission's high-priority performance goals; to hold the Commission's annual meeting, which is integral to meeting its responsibilities under the MMPA; to pursue selected additional research topics; and travel to allow the Commissioners, members of the Committee of Scientific Advisors on Marine Mammals, and Commission staff to participate in and contribute to science and conservation efforts related to selected domestic and multilateral issues.

Special Research Projects

- (1) Developing a framework for consultation with Alaska Natives: the Commission would use funds to support the development of a framework for consultation between federal agencies and Alaska Natives, with the goal of ensuring effective communication on issues related to conserving marine mammals and marine ecosystems that also have implications for the lives and livelihoods of Alaska Natives.
- (2) Promoting recovery of North Pacific right whales: the Commission's seed funding would be used to facilitate multi-agency research on the distribution and movements of North Pacific right whales with the goal of identifying the best ways to protect them from interactions with expanding human activities.
- (3) Developing a coastal health database: The Commission would work with partners to develop a real-time database for incorporating data from mortality events involving marine mammals as well as seabirds, fish, and invertebrates into IOOS. The project will provide information needed to improve stock assessments and prioritize conservation efforts.
- (4) Vaquita; The U.S. market for shrimp in the Gulf of California (Mexico) is the primary driver in the fishery that is causing mortality to this critically endangered species. Funding would support the implementation of alternative fishing gear that significantly reduces vaquita bycatch.

Socioeconomic Considerations of the Commission's Mandate

As an advocate for ecosystem-based management, the Commission acknowledges that humans are part of the marine ecosystem. A healthy economy is essential to the nation's well-being; however, many activities that contribute to the global economy can pose risks to marine ecosystems, including marine mammals. The Commission promotes a proactive approach for resolving potential conflicts by working with resource managers and other federal agencies to address problems before they become intractable and their resolution more costly. By exploring science-based methods to reduce operational and ecological interactions between marine mammals and various human activities, and improving overall scientific knowledge of marine mammals, the Commission seeks to protect marine mammals while not unnecessarily constraining socially or economically beneficial activities. The Commission recognizes that improving the scientific understanding of marine mammals and the impacts of human activities generally allows the design of more targeted, and therefore less onerous, mitigation measures. The Commission's basic statutory duties are intended to ensure effective conservation as an investment in the future as resource conflicts will undoubtedly increase and intensify. Investment in science and technology to address these fundamental challenges can allow economic development to occur with minimal impacts on the environment.

In some cases, human activities stem from societal needs, such as for national defense, or to provide benefits, such as maintaining marine mammals as important subsistence and cultural resources for Alaska Native communities. While it is difficult to express a value to society for defense and subsistence, it is clear that they are important to the people of the United States, and therefore the Commission needs to carry out its work in recognition of that importance. With regard to activities associated with resource extraction, such as offshore energy development and fishing, the Commission supports measures that are designed to reduce injury and mortality from these commercial activities. While the MMPA does not explicitly require the consideration of economic impacts when determining possible monitoring and mitigation measures to reduce the impact on marine mammals of human activities, they are one of several factors weighed by action agencies. The offshore oil and gas industry is clearly a significant sector of the economy that generates jobs and income. Fishing – both commercial and recreational – is another economically important sector where impacts on marine mammals need to be monitored and mitigated. Marine mammal tourism (e.g., whale watching), commercial shipping and recreational cruises, sport fishing, coastal development, and a broad range of inland activities that affect water flow and quality, and therefore marine ecosystem health, are just a few of the many other human activities that can impact marine mammals and their ecosystems.

The Commission believes that both the public and the private sector can contribute to the assessment of impacts, the development of a better understanding of marine ecosystems, and identification and implementation of appropriate mitigation and monitoring measures. Obtaining reliable estimates of abundance and trends and better knowledge of the distribution of species, subspecies, and stocks is essential and beneficial to all user groups. Several models of collaboration and support for federal agencies from other government entities (e.g., U.S. Navy and BOEM support of NMFS and FWS research,) and from the private sector (e.g., the oil and gas industry's Joint Industry Program and the Chukchi Sea Environmental Research Program) already exist. The enactment of the MMPA was a clear indication of the importance placed on maintaining healthy marine ecosystems and specifically the value of marine mammals to the people of the United States. The nation's continued commitment to this goal is evidenced by the expectation that commercial activities be mitigated and monitored to ensure the maintenance of healthy marine mammal stocks.



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MARINE MAMMAL COMMISSION

FY 2016

PRESIDENT'S BUDGET

MARINE MAMMAL COMMISSION

February 9 2015

MARINE MAMMAL COMMISSION Fiscal Year 2016

Budget Request Summary

The Marine Mammal Commission (Commission) is an independent government agency charged by the Marine Mammal Protection Act of 1972 (MMPA) to further the conservation of marine mammals and their environment. We work to ensure that marine mammal populations are restored and maintained as functioning elements of healthy marine ecosystems in the world's oceans. We meet our mission by providing independent, science-based oversight of domestic and international policies and actions of federal agencies addressing human impacts on marine mammals and their ecosystems. Our role is unique—we are the only government entity in the United States that provides comprehensive oversight of all science, policy, and management actions impacting marine mammals.

In FY 2016 **the Commission requests \$3.431 million** to continue to meet the requirements of the MMPA and its mission critical objectives and priority projects. This request is a \$91,000 (3 percent) increase over the Commission's FY 2015 enacted level. The majority (83 percent) of the Commission's FY 2016 budget request would be used to maintain an office and the staff necessary to carry out the Commission's basic responsibilities. The remaining amount (17 percent) would be used to support the Commission's marine mammal research program and essential Commission representation at meetings and other events.

Background

Title II of the MMPA created the Commission as an independent agency of the Executive Branch. The Commission consists of three members appointed by the President with the advice and consent of the Senate. The Commission is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals and 14 full-time permanent staff, which includes the Commission's Executive Director.

Section 202 of the MMPA assigned the Commission seven duties which include regular review of domestic and international actions to implement the MMPA, such as stock assessments, regulatory documents, policy guidance, and scientific research. The Commission is charged with making recommendations to other agencies on measures it deems necessary or desirable to further the policies of the MMPA, including provisions for protecting the interests of Indians, Aleuts, and Eskimos residing in Alaska whose livelihoods may be adversely affected by actions taken under the Act.

To fulfill its duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the MMPA. Marine mammals are subject to multiple human-related risk factors including direct and indirect fishery interactions, vessel strikes, noise, disease, contaminants, marine debris, harmful algal blooms, dead zones, coastal development, and climate change. To characterize risk factors and minimize harm to marine mammals from human activities, the Commission consults with other federal agencies, such as the National Oceanic and Atmospheric Administration (NOAA), NOAA's National Marine Fisheries Service (NMFS), the Fish and Wildlife Service (FWS), the Navy (USN) and the Bureau of Ocean Energy Management (BOEM), state agencies (e.g., various departments of fish, game, or wildlife), and tribal organizations (e.g., the Indigenous People's Council on Marine

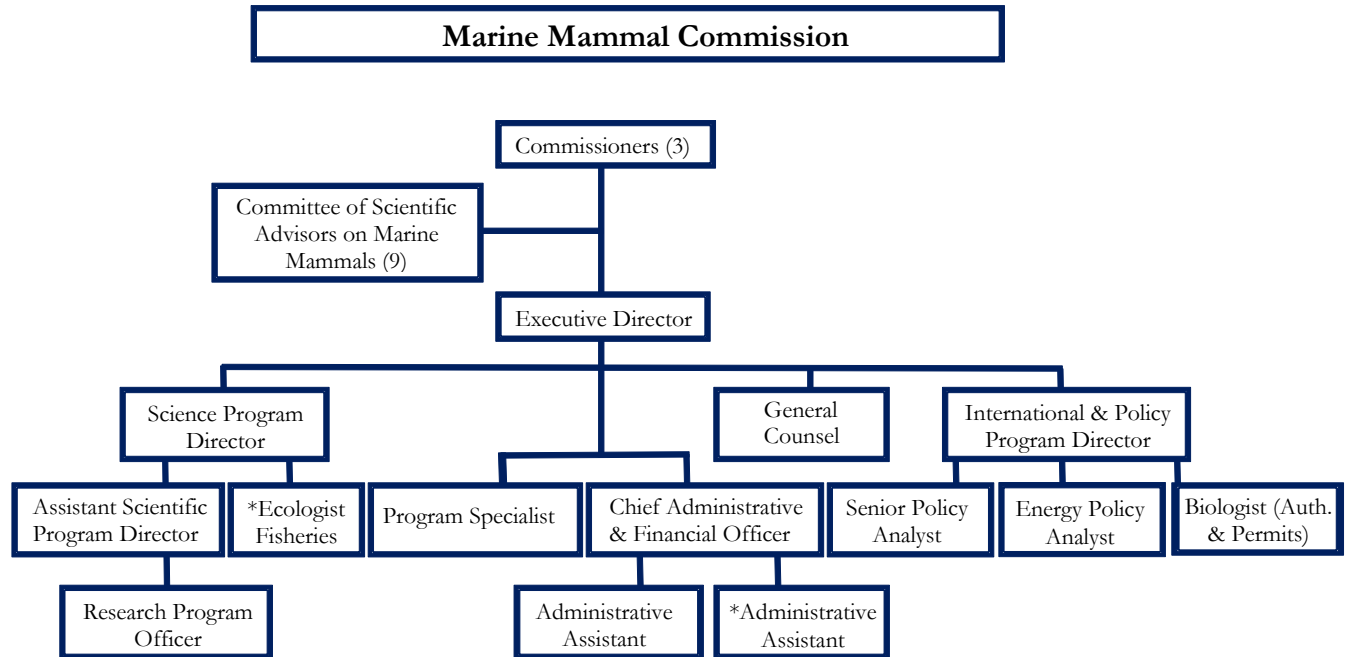
Mammals and species/region-specific Alaska Native Organizations). The Commission reviews numerous environmental analyses and applications for the incidental taking of marine mammals during military, oil and gas, geophysical, construction, and research activities. The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation. In all its work, the Commission seeks to be a source of useful information, catalyze critical marine mammal research, and provide independent and objective oversight over domestic and international actions impacting marine mammals and their environment.

Statutory Duties

The Commission is charged with fulfilling basic statutory duties as set forth in section 202 and other sections of the MMPA, which include the following:

- Reviewing all marine mammal stock assessment reports and related documents prepared by NMFS and the FWS;
- Reviewing all applications for authorization to take marine mammals incidental to activities other than commercial fisheries (e.g., oil and gas development, seismic studies, military exercises, coastal development projects), as required under section 101(a)(5) of the MMPA;
- Reviewing all scientific research and other permit applications involving the taking of marine mammals, as required under section 104 of the MMPA, and supporting key research projects focused on matters critical to marine mammal conservation and management;
- Consulting with the Department of State, NOAA, and FWS regarding research and management measures needed to promote marine mammal conservation in foreign jurisdictions and in international waters;
- Reviewing all proposals for listing, or changing the listing status, of marine mammals under the Endangered Species Act (ESA);
- Enhancing and monitoring the effectiveness of recovery programs for endangered, threatened, and depleted species such as the Hawaiian monk seal, Cook Inlet beluga whale, southern resident killer whale, western Steller sea lion, North Atlantic right whale, North Pacific right whale, southern sea otter, polar bear, bearded and ringed seals, and Florida manatee;
- Promoting co-management of marine mammals taken for subsistence purposes by Alaska Natives pursuant to section 119 of the MMPA, as well as effective implementation of the tribal consultation process under Executive Order 13175; and
- Facilitating development of research and management capacity in foreign countries with endangered marine mammal species and stocks (e.g., vaquita, freshwater dolphins, and Arabian Sea humpback whales).

Organization



* Position vacant

Strategic Plan

The Commission’s [Strategic Plan for 2015-19](#)¹ provides a vision and clear guidance for future work by the Commission. The Commission finalized its plan in February 2014, following an extensive interagency, Capitol Hill, and public review process. The plan identifies an overall strategic goal and five major strategic objectives for the Commission.

Strategic Goal: The Commission’s strategic goal is to ensure the protection and conservation of marine mammals as significant functioning elements of healthy marine ecosystems through science-based mitigation and monitoring of anthropogenic impacts on marine mammal populations and their ecosystems.

The five strategic objectives are to ensure that:

- (1) Marine mammal populations in the Arctic are maintained as viable functioning elements of their ecosystems through management measures that address direct and indirect effects of climate change and the ensuing economic, scientific, and other activities in the region;
- (2) Scientifically robust mitigation and monitoring measures are developed, refined, and implemented in order to prevent, minimize, or mitigate the impacts of offshore oil and gas and renewable energy activities on marine mammals and their ecosystems;

¹ http://www.mmc.gov/reports/strategic_plans/welcome.shtml

- (3) Marine mammal strandings are more thoroughly investigated and analyzed to improve understanding of the factors causing mortality and affecting the health of marine mammals, determine the efficacy of measures such as ship speed reduction to reduce mortality, and elucidate the relationships between marine mammal health and human health and ecosystem services;
- (4) Anthropogenic threats to marine mammals, particularly those most vulnerable to extinction, are identified and reduced in the coastal and fresh waters of other nations and on the high seas worldwide through bilateral and multilateral scientific and conservation efforts and sharing of expertise; and
- (5) Impacts of human activities on marine mammals and their ecosystems are better understood, and the management of those impacts is improved through enhanced scientific research, policy analysis, and information dissemination.

These strategic objectives guide the Commission's work, which includes overseeing federal agency activities, facilitating interagency and public-private collaboration, funding research, and identifying and developing agendas for the Commission's annual meetings, Capitol Hill briefings, and other Commission events.

Recent Accomplishments

In FY 2015 the Commission was appropriated \$3.34 million. We increase our reach by leveraging resources and expertise from other federal and state agencies, academia, industry, non-governmental organizations and other key partners. Examples of recent accomplishments include:

- *Marine Mammal Health Monitoring and Analysis Platform:* The Commission is co-leading the development of a marine mammal health monitoring and analysis platform to provide information about marine mammal health to scientists and decision-makers across the United States. A pilot health mapping project focused on the West Coast has been completed and illustrates the potential for marine mammals to serve as indicators of marine ecosystem health in a national platform. The end goal of this project is a collaborative, user-friendly, and cost-effective platform that will facilitate the detection of new diseases or altered health conditions and tracking of trends in marine mammal health and their associations with environmental variables.
- *Offshore Energy:* In response to a request by BOEM for comments on planned oil and gas lease sales off Alaska, the Commission provided recommendations on environmentally sensitive areas in Cook Inlet, the Chukchi Sea, and the Beaufort Sea. The Commission is charged with helping to ensure that development of ocean energy resources is accomplished in a manner that minimizes environmental impacts. Our recommendations were based on the best available science regarding habitats and habitat features critical for the survival of at-risk species and populations such as Cook Inlet beluga whales, bowhead whales, and Pacific walruses.
- *Vaquita Conservation:* The Commission joined other federal agencies in providing technical and funding support for the conservation and recovery of the vaquita, the world's most endangered small cetacean. Scientific assessments in July 2014 found that the vaquita could

disappear in fewer than four years if no action was taken to greatly reduce the use of entangling nets within its range. Although the vaquita is endemic to Mexico, the United States has a particular responsibility for its conservation—the shrimp harvested in the gillnet fishery is exported to the U.S. market, and the products from the illegal totoaba fishery often are smuggled across the U.S. border en route to China. In December 2014, the Mexican government responded with a proposal to close the vaquita range to gillnets, strengthen enforcement, and provide financial compensation to fishermen. U.S. agencies with responsibility for combating wildlife trafficking have also responded with stepped up enforcement at the border.

- *Assessment of Right Whale Ship Strike Rule:* Analyses led by Commission staff provided scientific evidence that measures put in place by NMFS in 2008 had significantly reduced ship strike deaths of the endangered North Atlantic right whale. Under a sunset clause in the original rule, the regulations were set to expire unless shown to be effective. The results of the analyses lent strong support to NMFS for its decision to extend the ship-strike rule indefinitely and to institute a new method of monitoring the rule's future effectiveness.
- *Climate Change and Arctic Cetaceans:* The Commission played a major role in the design and execution of an International Whaling Commission (IWC) Workshop on Impacts of Increased Marine Activities on Cetaceans in the Arctic. The U.S.-sponsored workshop brought together stakeholders from all Arctic countries, including subsistence communities, to discuss the potential impacts of increasing industrial activity and climate-related changes on the Arctic environment, its cetacean inhabitants, and subsistence hunters. Building connections and strengthening partnerships in the Arctic and anticipating the changes likely to occur in this area are critical to addressing the many challenges the region faces now and into the future.
- *Advanced Survey Technology:* The Commission convened a workshop in October 2014 to evaluate NMFS's development and use of unmanned aerial vehicles (drones) and to identify areas for improvement, collaboration, and synergy across its six regional science centers. Surveys of marine mammal populations are crucial to assess their conservation status, and to inform policy and management actions. Declining budgets have increasingly made the use of traditional survey platforms (ships and planes) impractical and this has led NMFS to develop and integrate new survey technologies into its efforts to assess marine mammal populations.

Project Highlights for FY 2016

In FY 2016 the Commission will continue to meet its statutory obligations under the MMPA and will initiate, continue, or complete a number of projects meant to address the Commission's strategic objectives. Highlighted below are a few examples of FY 2016 activities and projects the Commission plans to undertake under each strategic objective.

Strategic Objective 1: Marine mammal populations in the Arctic are maintained as viable functioning elements of their ecosystems through management measures that address direct and indirect effects of climate change and the ensuing economic, scientific, and other activities in the region.

- The accelerating pace of human activity and environmental change in the Arctic requires continued and intensified research on baseline conditions and changes. The Commission will continue its strong engagement on Arctic science and assist the larger scientific community in identifying research gaps and prioritizing research and conservation needs. These basic science efforts are necessary to inform environmental impact analyses and support the development of mitigation and monitoring measures for proposed industrial activities.
- The Commission will support and encourage research to understand shifting marine mammal distributions and ecological relationships as ocean and climate conditions change in the Arctic. The Commission will also participate in inter-agency development and implementation of federal and international strategic plans and coordinated research programs for marine mammal and ecosystem research in the Arctic.
- On the basis of this strong engagement, the Commission will continue to conduct analyses of proposed activities and provide recommendations to the responsible science and regulatory agencies on Arctic research, monitoring, and regulatory priorities, allocation of funds, and logistical support.

Strategic Objective 2: Scientifically robust mitigation and monitoring measures are developed, refined, and implemented in order to prevent, minimize, or mitigate the impacts of offshore oil and gas and renewable energy activities on marine mammals and their ecosystems.

- In April 2015, the Commission will convene a meeting of scientists, resource managers, and industry representatives working in the Gulf of Mexico to identify high priority marine mammal information needs for the next 5-15 years and explore potential funding sources for research and monitoring. The workshop will facilitate long-term research planning, information sharing, and capacity building in the Gulf, in coordination with emerging and existing environmental monitoring systems.
- The Commission will continue to provide essential oversight of offshore energy activities. This includes reviews of proposed lease sales and incidental take authorizations to highlight critical data gaps and measures to minimize impacts on marine mammals. For example, the Commission will participate on a peer-review panel to evaluate mitigation and monitoring measures for Arctic oil and gas activities affecting the availability of marine mammals for subsistence use by Alaska Native communities.
- The Commission will work with industry and offshore energy regulators to explore options for reducing the number and scope of proposed seismic surveys in the Atlantic. Seismic surveys used in energy exploration and development can disturb and even injure marine mammals. Future leasing opportunities in the Atlantic have prompted several companies to propose multiple overlapping seismic surveys. Minimizing offshore seismic activity would help strike a balance between expanded energy development and the need to protect marine mammal populations.

Strategic Objective 3: Marine mammal strandings are more thoroughly investigated and analyzed

to improve understanding of the factors causing mortality and affecting the health of marine mammals, determine the efficacy of measures such as ship speed reduction to reduce mortality, and elucidate the relationships between marine mammal health and human health and ecosystem services.

- The Commission will focus most of its activities under this strategic objective on the continued development of the Marine Mammal Health Monitoring and Analysis Platform. Specifically the Commission will continue its leadership role in an interagency steering group to harness the resources and technical expertise needed to implement the platform. The Commission will also engage with stakeholders to identify and help secure specific resources to build a regional prototype of the platform for Gulf of Mexico marine mammal health and stranding data. This regional prototype will ultimately be replicated in other regions (west coast, east coast, Alaska and Pacific Islands) to form a national system.
 - The Commission will convene several workshops to bring together health and data management experts to develop and disseminate standards for marine mammal health and stranding information across federal agencies and the broader ocean observing, management and conservation communities. The legacy of this effort will be data standards that future generations of scientists can use to increase the availability and utility of marine mammal health observations globally.
-

Strategic Objective 4: Anthropogenic threats to marine mammals, particularly those most vulnerable to extinction, are identified and reduced in the coastal and fresh waters of other nations and on the high seas worldwide through bilateral and multilateral scientific and conservation efforts and sharing of expertise.

- The Commission will take a leadership role with U.S. government and Mexican agencies to design and hold an international Economic Summit on vaquita with the objective of providing the communities of the Upper Gulf of California with financially, socially, and ecologically viable alternatives to the gillnet fishing that is currently driving the vaquita toward extinction. The Commission will also continue to promote scientific assessment of trends in the vaquita population.
 - The Commission will publish a scientific assessment of the conservation status of all species of baleen whales (the majority of large whale species) and many of their populations around the globe. This will guide the Commission and other U.S. and international agencies in addressing critically endangered species and populations (e.g., a workshop to develop a research plan for Arabian Sea humpback whales), known threats (e.g., entanglement in fishing gear and ship-strikes), and the less understood potential impacts of underwater noise and climate change. The Commission will also launch an assessment of dolphins, porpoises, and toothed whales in 2015.
-

Strategic Objective 5: Understanding of human impacts on marine mammals and their ecosystems, and the management of those impacts, is improved through enhanced scientific research, policy

analysis, and information dissemination.

- The Commission will review the data and model used to assess North Atlantic right whale mortality in fishing gear, and identify steps needed to improve both data collection and modeling to provide a more effective basis for mitigating fishery impacts on right whales. Fishery bycatch is the largest source of mortality for North Atlantic right whales and current assessments of right whale bycatch reduction measures are based on inadequate data and a questionable model.
- The Commission will continue to participate on NMFS's marine mammal take-reduction teams and provide advice on measures needed to improve the effectiveness of take-reduction plans in fisheries. Incidental mortality and serious injury exceed allowable levels and continue to be major conservation challenges for at least a dozen marine mammal populations in the United States.
- The Commission is convening a workshop of experts on North Pacific right whales to review research options designed to improve understanding of their distribution and movements. The Commission will use the expert reviews obtained during the workshop to set its North Pacific right whale research funding priorities. With approximately 30 North Pacific right whales left in the eastern population, their persistence and recovery depends on research that will provide better distribution and movement data than is currently available.

Strengthening Partnerships and Collaboration

The Commission strives to ensure that marine mammal populations are restored globally and maintained as significant functioning elements of healthy marine ecosystems for future generations, with human activities managed to minimize impacts on those populations and ecosystems. But we cannot accomplish this enormous task on our own. The current and future budget prospects for the Commission and for science-based federal agencies in general require us to be more strategic about our work and increasingly to partner with other agencies and organizations to leverage external resources and expertise.

In FY 2016 the Commission will continue to look for ways to reduce operational costs and leverage resources and expertise from partners. For example, the Commission will seek public-private collaborations with industry, foundations, and NGOs for funding participation of partners whose attendance is critical to successful workshops and meetings.

The Commission also plans to promote new partnerships through its research grants program. Making use of the best available science, developed at universities and other research institutions around the world, is critically important to inform management decisions and conservation measures that impact marine mammals. In FY 2015 the Commission received 57 proposals requesting research funds, totaling \$1.49 million, on topics that directly support its mission. The Commission will continue to look for ways to increase the reach and impact of its research program dollars.

FY 2016 Budget Overview

Summary (\$ thousands)

	FY 2014	FY 2015	FY 2016
President's Budget	3,015	3,431	3,431
Appropriations	3,250	3,340	

Budget by Category (\$ thousands)

Identification code 95-2200-0-1-302	FY 2014	FY 2015	FY 2016
Program and Financing (\$ thousands)			
Budget Authority	3,250	3,340	3,431
Total Budgetary Resources	3,250	3,340	3,431
Spending (\$ thousands)			
Personnel	1,883	2,093	2,201
Research and Special Projects	537	378	422
Rent, Communication and Utilities	247	260	270
Other	583	609	538



Marine Mammal Commission
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MARINE MAMMAL COMMISSION

FY 2017

PRESIDENT'S BUDGET

MARINE MAMMAL COMMISSION

February 09 2016

MARINE MAMMAL COMMISSION Fiscal Year 2017

Budget Request Summary

The Marine Mammal Commission (Commission) is an independent government agency charged by the Marine Mammal Protection Act of 1972 (MMPA) to further the conservation of marine mammals and their environment. We work to ensure that marine mammal populations are restored and maintained as functioning elements of healthy marine ecosystems. We meet our mission by providing independent, science-based oversight of domestic and international policies and actions of federal agencies addressing human impacts on marine mammals and their ecosystems. Our role is unique—we are the only government entity in the United States that provides comprehensive oversight of all science, policy, and management actions that affect, or could affect, marine mammals.

In FY 2017 **the Commission requests \$3.431 million**, to continue to meet the requirements of the MMPA and its mission critical objectives and priority projects. This request is the same as the FY 2016 appropriation levels for the Marine Mammal Commission. The majority (66%) of the Commission's FY 2016 budget will be used for salaries and benefits. The remaining amount (34%) will be used to support the Commission's marine mammal research program, fund essential Commission representation at meetings and other events, and maintain the office.

Background

Title II of the MMPA created the Commission as an independent agency of the Executive Branch. The Commission consists of three members appointed by the President with the advice and consent of the Senate. The Commission is assisted by a nine-member Committee of Scientific Advisors on Marine Mammals, a special advisor on Alaskan Native affairs and 14 full-time permanent staff.

Section 202 of the MMPA assigned the Commission seven duties which include regular review of domestic and international actions to implement the MMPA, such as stock assessments, regulatory documents, policy guidance, and scientific research. The Commission is charged with making recommendations to other agencies on measures it deems necessary or desirable to further the policies of the MMPA, including provisions for protecting the interests of Indians, Aleuts, and Eskimos residing in Alaska whose livelihoods may be adversely affected by actions taken under the Act.

To fulfill its duties, the Commission reviews and makes recommendations on the domestic and international policies and actions of federal agencies to ensure that they are consistent with the MMPA. Marine mammals are subject to multiple human-related risk factors including direct and indirect fishery interactions, vessel strikes, noise, disease, contaminants, marine debris, harmful algal blooms, dead zones, coastal development, and climate change. To characterize risk factors and minimize harm to marine mammals from human activities, the Commission consults with other federal agencies, such as the National Oceanic and Atmospheric Administration (NOAA, especially its National Marine Fisheries Service (NMFS)), the Fish and Wildlife Service (FWS), the Navy (USN) and the Bureau of Ocean Energy Management (BOEM), state agencies (e.g., various departments of fish, game, or wildlife), and tribal organizations (e.g., the Indigenous People's Council on Marine Mammals and species/region-specific Alaska Native Organizations and the Makah Tribal Council). The Commission reviews numerous environmental analyses and applications

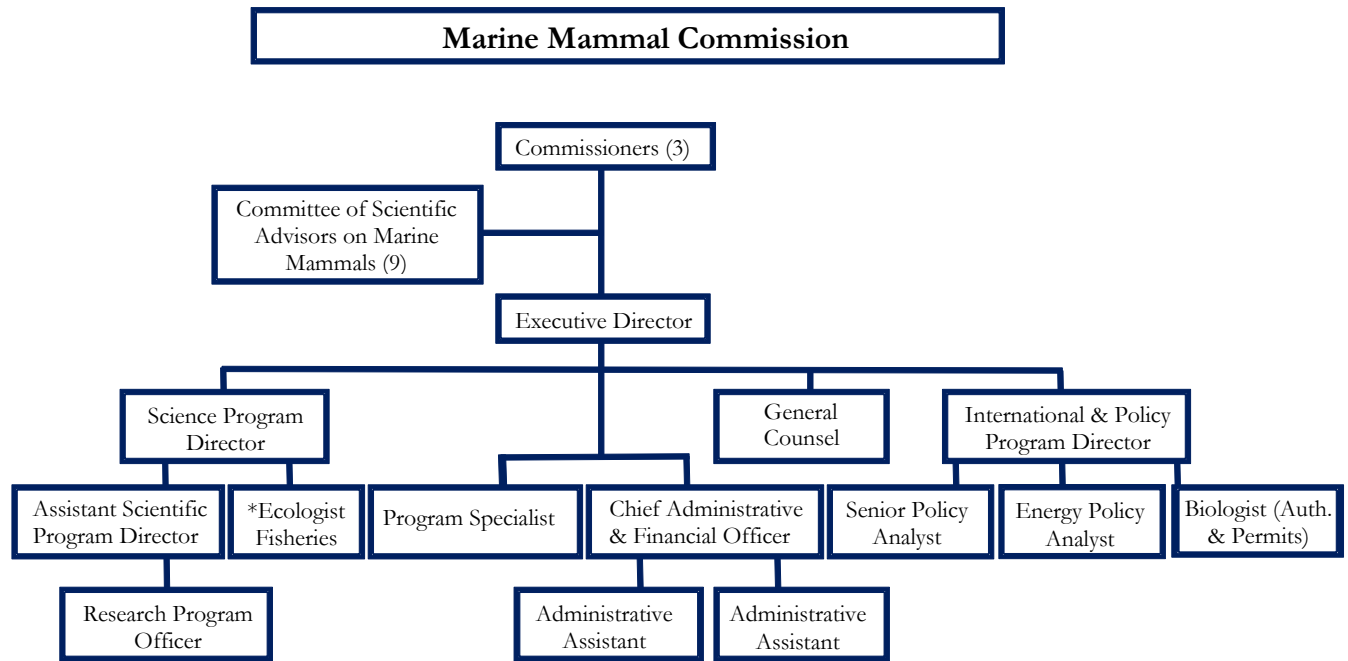
for the incidental taking of marine mammals during military, oil and gas, geophysical, construction, and research activities. The Commission also helps develop and coordinate multi-agency and international research and management initiatives to facilitate marine mammal protection and conservation. In all its work, the Commission seeks to be a source of useful information, catalyze critical marine mammal research, and provide independent and objective oversight over domestic and international actions that impact marine mammals and their environment.

Statutory Duties

The Commission is charged with fulfilling basic statutory duties as set forth in section 202 and other sections of the MMPA, which include the following:

- (1) Reviewing all marine mammal stock assessment reports and related documents prepared by NMFS and FWS;
- (2) Reviewing all applications for authorization to take marine mammals incidental to activities other than commercial fisheries (e.g., oil and gas development, seismic studies, military exercises, coastal development projects), as required under section 101(a)(5) of the MMPA;
- (3) Reviewing all scientific research and other permit applications involving the taking of marine mammals, as required under section 104 of the MMPA, and supporting key research projects focused on matters critical to marine mammal conservation and management;
- (4) Consulting with the Department of State, NOAA, and FWS regarding research and management measures needed to promote marine mammal conservation in foreign jurisdictions and in international waters;
- (5) Reviewing all proposals for listing, or changing the listing status, of marine mammals under the Endangered Species Act (ESA);
- (6) Enhancing and monitoring the effectiveness of recovery programs for endangered, threatened, and depleted species such as the Hawaiian monk seal, Cook Inlet beluga whale, southern resident killer whale, western Steller sea lion, North Atlantic right whale, North Pacific right whale, southern sea otter, polar bear, bearded and ringed seals, and Florida manatee;
- (7) Promoting co-management of marine mammals taken for subsistence purposes by Alaska Natives pursuant to section 119 of the MMPA, as well as effective implementation of the tribal consultation process under Executive Order 13175; and
- (8) Facilitating development of research and management capacity in foreign countries with endangered marine mammal species and stocks (e.g., vaquitas, freshwater dolphins, and Arabian Sea humpback whales).

Organization



* Position vacant

Strategic Plan

The Commission’s [Strategic Plan for 2015-19](#)¹ provides a vision and clear guidance for future work by the Commission. The Commission finalized its plan in February 2014, following an extensive interagency, Capitol Hill, and public review process. The plan identifies an overall strategic goal and five major strategic objectives for the Commission.

Strategic Goal: The Commission’s strategic goal is to ensure the protection and conservation of marine mammals as significant functioning elements of healthy marine ecosystems through science-based mitigation and monitoring of anthropogenic impacts on marine mammal populations and their ecosystems.

The five strategic objectives are to ensure that:

- (1) Marine mammal populations in the Arctic are maintained as viable functioning elements of their ecosystems through management measures that address direct and indirect effects of climate change and the ensuing economic, scientific, and other activities in the region;
- (2) Scientifically robust mitigation and monitoring measures are developed, refined, and implemented in order to prevent, minimize, or mitigate the impacts of offshore oil and gas and renewable energy activities on marine mammals and their ecosystems;
- (3) Marine mammal strandings are more thoroughly investigated and analyzed to improve understanding of the factors causing mortality and affecting the health of marine mammals,

¹ http://www.mmc.gov/wp-content/uploads/StrategicPlan_02192014.pdf

determine the efficacy of measures such as ship speed reduction to reduce mortality, and elucidate the relationships between marine mammal health and human health and ecosystem services;

- (4) Anthropogenic threats to marine mammals, particularly those most vulnerable to extinction, are identified and reduced in the coastal and fresh waters of other nations and on the high seas worldwide through bilateral and multilateral scientific and conservation efforts and sharing of expertise; and
- (5) Impacts of human activities on marine mammals and their ecosystems are better understood, and the management of those impacts is improved through enhanced scientific research, policy analysis, and information dissemination.

These strategic objectives guide the Commission's work, which includes overseeing federal agency activities, facilitating interagency and public-private collaboration, funding research, and identifying and developing agendas for the Commission's annual meetings, Capitol Hill briefings, and other Commission events.

Project Highlights for FY 2017

In FY 2017 the Commission will continue to meet its statutory obligations under the MMPA and will initiate, continue, or complete a number of projects meant to address the Commission's strategic objectives. Highlighted below are examples of FY 2017 activities and projects the Commission plans to undertake under each strategic objective.

Strategic Objective 1: Marine mammal populations in the Arctic are maintained as viable functioning elements of their ecosystems through management measures that address direct and indirect effects of climate change and the ensuing economic, scientific, and other activities in the region.

- The accelerating pace of environmental change and human activity in the Arctic requires continued and intensified research on baseline conditions and changes. The Commission will continue its strong engagement on Arctic science and assist the larger scientific community in identifying research gaps and prioritizing research and conservation needs, both within U.S. agencies and within the efforts of the Arctic Council. These basic science efforts are necessary to inform environmental impact analyses and support mitigation and monitoring measures for proposed development activities.
- The Commission will support and encourage research and the use of traditional knowledge to understand shifting marine mammal distributions and ecological relationships as ocean and climate conditions change in the Arctic and human activities (e.g., shipping, oil and gas development) increase. The Commission will also participate in inter-agency development and implementation of federal and international strategic plans and coordinated programs to further marine mammal and ecosystem research in the Arctic.
- On the basis of this strong engagement, the Commission will continue to conduct analyses of proposed human activities and provide recommendations to the responsible science and regulatory agencies on Arctic research and monitoring, mitigation measures, regulatory

priorities, allocation of funds, and logistical support. The Commission also will continue efforts to ensure regular and meaningful consultation between federal agencies and Alaska Native communities on policies and actions that may affect the availability of marine mammals for subsistence use.

- During FY 2015 NMFS and FWS, respectively, published draft recovery plans for the endangered Cook Inlet beluga whale population and the threatened polar bear. The Commission anticipates that those plans will be finalized during FY 2016 and expects to work with those agencies on implementation of the plans in FY 2017.

Strategic Objective 2: Scientifically robust mitigation and monitoring measures are developed, refined, and implemented in order to prevent, minimize, or mitigate the impacts of offshore oil and gas and renewable energy activities on marine mammals and their ecosystems.

- The Commission will provide oversight of offshore energy activities that may have impacts on marine mammals and their habitat. This includes reviews of proposed leasing programs and lease sales, applications for seismic and other geophysical surveys, development and decommissioning plans, and proposed incidental take authorizations. As part of its review, the Commission will provide recommendations regarding critical data gaps and measures to minimize impacts on marine mammals.
- The Commission will continue to engage with scientists, state and federal resource managers, environmental organizations, and industry representatives working in the Gulf of Mexico to address high priority marine mammal information needs identified at a Commission-convened workshop held in April 2015. These efforts will focus on information sharing, capacity building, and coordination with and support for emerging and existing environmental monitoring systems in the Gulf.
- The Commission will work with scientists and resource managers to review and evaluate information regarding the effects of oil spills and response activities on marine mammals and implications for Alaska Native communities that depend on marine mammals for subsistence. Information needs identified by the Commission and its partners will be used to promote future research efforts to increase the safety and effectiveness of oil spill response measures in Alaska.
- The Commission will continue to work with industry and offshore energy regulators to better understand and minimize the impact of offshore seismic surveys on marine mammals in the Atlantic, Gulf of Mexico, and Alaska planning areas. The focus of the Commission's efforts will be on reducing the potential for unnecessarily duplicative or overlapping surveys, avoiding biologically important areas, and enhancing the effectiveness of mitigation, monitoring, and reporting measures.

Strategic Objective 3: Marine mammal strandings are more thoroughly investigated and analyzed to improve understanding of the factors causing mortality and affecting the health of marine mammals, determine the efficacy of measures such as ship speed reduction to reduce mortality, and elucidate the relationships between marine mammal health and human health and ecosystem

services.

- The Commission will focus most of its activities under this strategic objective on the continued development and implementation of the Marine Mammal Health Monitoring and Analysis Platform (HealthMAP). Specifically the Commission will continue its leadership role in an interagency steering group to harness the resources and technical expertise needed to implement the platform. The Commission will also engage with stakeholders to identify and help secure specific resources to build out the national platform and data portal.
- The Commission will continue its efforts to improve the status assessment of marine mammal stocks through the development and validation of methods designed to provide improved estimates of the total number of marine mammals killed and seriously injured due to entanglement in fishing gear, being struck by vessels, or other anthropogenic impacts.
- The Commission will convene several workshops to bring together health and data management experts to develop and disseminate standards for marine mammal health and stranding information across federal agencies and the broader ocean observing, management, and conservation communities. The legacy of this effort will be data standards that future generations of scientists can use to increase the availability and usefulness of marine mammal health observations globally.

Strategic Objective 4: Anthropogenic threats to marine mammals, particularly those most vulnerable to extinction, are identified and reduced in the coastal and fresh waters of other nations and on the high seas worldwide through bilateral and multilateral scientific and conservation efforts and sharing of expertise.

- The Commission will continue its leadership role, working with U.S. and Mexican partners, in support of the Mexican government's 2015 commitment to actions for preventing the extinction of the vaquita. In particular, the Commission will focus on strategies to (a) provide communities in the Upper Gulf of California with financially, socially, and ecologically viable alternatives to gillnet fishing and (b) eliminate the illegal trade in fishery products that is helping push the vaquita toward extinction. The Commission will continue to support development and testing of alternative fishing gear, promote the adoption of such gear by Mexican fishermen, and help develop appropriate incentives and enhancements of market streams for products caught with such gear. The Commission will also continue its strong support for scientific assessment of trends in the vaquita population, especially through acoustic monitoring, and for the work of the international vaquita recovery committee.
- The Commission's recent scientific assessment of the conservation status of baleen whales (the majority of large whale species) will guide the Commission and other U.S. and international agencies in promoting the recovery of endangered species and populations. The Commission expects to assist scientists and conservationists in the Arabian Sea region as they try to implement a humpback whale conservation plan that was developed at a Commission-sponsored workshop in 2015, continue focusing on the conservation needs of

endangered right whale populations around the world, help address known threats (e.g., entanglement in fishing gear and ship-strikes) and improve assessment of the impacts of less understood threats to large whales (e.g., underwater noise and climate change).

- The Commission will support conservation efforts for freshwater and coastal dolphins and porpoises, many of which are declining around the world due to entanglement in fishing gear and habitat loss and degradation. In addition to collaborating with local government and NGO efforts on specific populations, such as freshwater cetaceans in the Mekong River, the Commission will collaborate with U.S. and international scientists on an assessment of the most endangered dolphins, porpoises, and toothed whales and work through the International Whaling Commission's Scientific Committee to identify and protect such populations.

Strategic Objective 5: Understanding of human impacts on marine mammals and their ecosystems, and the management of those impacts, is improved through enhanced scientific research, policy analysis, and information dissemination.

- The Commission will continue its ongoing review of the data and models used to assess North Atlantic right whale mortality in fishing gear, and identify steps to improve both data collection and modeling in order to provide a more effective basis for mitigating this threat. Entanglement is currently the largest source of non-natural mortality of North Atlantic right whales, and assessments of entanglement reduction measures are based on an inadequate co-occurrence model and fishery interaction data.
- The Commission will continue to participate on NMFS's marine mammal take-reduction teams and provide advice on measures needed to improve the effectiveness of take-reduction plans in fisheries. Incidental mortality and serious injury exceed allowable levels for at least a dozen marine mammal populations in the United States and continue to be major conservation challenges.
- The Commission will work with NMFS to increase the integration of the trophic and habitat requirements of marine mammals with its assessments of fish stocks and the determination of catch limits for those stocks.
- The Commission will continue its efforts to improve scientific knowledge pertaining to the distribution and movements of North Pacific right whales, and to the risks they face from human activities such as fishing and shipping. The North Pacific right whale is one of the most endangered whales in the world, and the eastern population, which occupies U.S. waters at least part of the year, numbers at most 50 animals. The persistence and recovery of the eastern population, and probably the species as a whole, depends on research that substantially improves understanding of their biology, ecology, and interactions with human activities.

Increasing Operational Efficiency

The Commission continues to strive for increased effectiveness and efficiency in meeting its critical missions. Personnel and financial resources are dedicated to the highest priority work as mandated

by Congress and as developed through regular strategic planning exercises. Priority projects under each of our five strategic objectives are established yearly under the leadership of the three Commissioners in consultation with the Committee of Scientific Advisors. These projects reflect the most critical issues facing the agencies responsible for implementing the MMPA. The projects are also informed by Commission efforts to establish research priorities to guide federal funding for marine mammal research and conservation, in times of flat or declining agency budgets.

In FY 2017 the Commission will work to increase operational efficiency through the following management actions:

- (1) Streamlining tasks and reducing costs by using available technology (e.g., desktop publishing software, video conferencing, webinar capabilities) and sharing resources with other federal agencies;
- (2) Reducing costs of publications through on-line publishing rather than printing hard copies of the Annual Report to Congress, Survey of Federally Funded Research, and other reports;
- (3) Making optimal use of detailees, interns, and collaborating researchers to help meet our workload requirements while reducing costs;
- (4) Encouraging use of public-private partnerships, including Foundations and non-governmental organizations, to help cover costs associated with hosting and attending workshops and meetings;
- (5) Promoting the principle of making Commission research funding contingent upon matches or in-kind support; and
- (6) Strengthening the Commission's online presence to reach broader audiences more effectively and help reduce travel costs by promoting web-based participation at meetings.

Strengthening Partnerships and Collaborations

The Commission strives to ensure that marine mammal populations are restored globally and maintained as significant functioning elements of healthy marine ecosystems for future generations, with human activities managed to minimize impacts on those populations and ecosystems. But we cannot accomplish this enormous task on our own. The current budget prospects for the Commission and for science-based federal agencies in general require us to be more strategic about our work and increasingly to partner with other agencies and organizations to leverage external resources and expertise.

In FY17 the Commission will continue to work closely with other federal agencies to support and collaborate on marine mammal research and stock assessments, including identification of research priorities. We will focus our efforts on eliminating duplication and ensuring effective use of available research funds, and ensuring that scientific results are rigorously reviewed and used in management to develop, improve, and evaluate mitigation measures.

FY 2017 Budget Overview

Summary (\$ thousands)

	FY 2015	FY 2016	FY 2017
President's Budget	3,431	3,431	3,431
Appropriations	3,340	3,431	

Budget by Category (\$ thousands)

Identification code 95-2200-0-1-302	FY 2015	FY 2016	FY 2017
Program and Financing (\$ thousands)			
Budget Authority	3,340	3,431	3,431
Total Budgetary Resources	3,340	3,431	3,431
Spending (\$ thousands)			
Personnel	2,093	2,216	2,274
Research and Special Projects	378	330	350
Rent, Communication and Utilities	260	273	275
Other	609	612	532
Adjustments to Base (ATBs)¹	226	135	35 ²

¹Adjustments to base include essential cost increases associated with filling lapsed (vacant) FTEs, cost of living adjustments and rent increases.

² Estimated.



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