



United States Department of the Interior



MINERALS MANAGEMENT SERVICE
Alaska Outer Continental Shelf Region
949 East 36th Avenue, Suite 300
Anchorage, Alaska 99508-4363

Teri Rowles, Program Manager
Marine Mammal Health and Stranding Response Program (MMHSRP)
NOAA, NMFS, Office of Protected Resources
1315 East-west Highway
Silver Spring, MD 20910-3282
Fax 301-713-0376

Dear Ms. Rowles:

We submit the following comments to the Proposed Rules published in the Federal Register/Vol. 67, No 2218/Tuesday, November 12, 2002 under the heading:
Adding section 216.47, Access to marine mammal tissue, analyses, and data.

Our first comment is concerning sections (a) (1) (ix) and (a) (3).

“(a) (1) (ix) Agreement that credit and acknowledgment will be given to NMFS, US Geologic Service (USGS), National Institute of Standards and Technology (NIST), US Fish and Wildlife Service (USFWS), the NMMTB, and the collector for use of banked tissues.”

“(3) The applicant shall insert the following acknowledgment in all publications, abstracts, or presentations based on research using the banked tissue: The specimens used in this study were provided by the National marine Mammal Tissue Bank, which is maintained in the National biomonitoring Specimen Bank at NIST and which is operated under the direction of NMFS with the collaboration of USGS, USFWS, and NIST through the Marine Mammal Health and Stranding Response Program [and the Alaska Marine Mammal Tissue Archival Project if the samples are from Alaska].”

The Minerals Management Service (MMS) was omitted from the list of agencies to which credit and acknowledgement will be given for access to the tissues. MMS should be added to that list.

An MMS sponsored project initiated the Alaska Marine Mammal Tissue Archival Project (AMMTAP) upon which the National Marine Mammal Tissue Bank System was modeled. MMS was the sole financial supporter of AMMTAP for many years.

The Biological Resources Division of USGS has identified itself as the lead for the DOI as a partner in the MMHSRP and as heading up the Arctic component, AMMTAP. Presently



\$30,000 of MMS originated research dollars are allocated to NMMTB through the Biological Resources Division of USGS, one-half of the funds now being used for Phase I, Database and Website Development for Partners Internet Access to the National Marine Mammal Tissue Bank System. Additional MMS resources are applied toward AMMTAP each year. Therefore, it is appropriate that MMS be acknowledged.

Our second comment is concerning access to AMMTAP tissues. MMS must be designated as having first priority and right of first refusal for access to AMMTAP tissues, as has been the understanding since its inception.

Thank you for your consideration of these comments. If you have a question, please contact me at 907-271-6617.

Sincerely,

Cleveland J. Cowles, PhD.
Chief, Environmental Studies Section
Alaska Region
Minerals Management Service

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