



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Alaska Fisheries Science Center
7600 Sand Point Way N.E.
Seattle, Washington 98115-6349

August 13, 2026

LETTER OF ACKNOWLEDGEMENT (LOA): AFSC 008_2026

David T. Wilson,
Executive Director
International Pacific Halibut Commission
2320 W. Commodore Way, STE 300
Seattle, WA 98199

Dear Dr. Wilson:

This letter acknowledges that you have submitted a scientific research plan received August 12, 2026, as specified at 50 CFR 600.745 for the IPHC Fecundity Study aboard the *F/V Pender Isle* and *F/V Predator* to conduct oceanographic investigations. The purpose of this research cruise is to conduct the 2026 Fecundity Study on Pacific halibut and select species. The study targets the collection of 150 mature female Pacific halibut (fork length ≥ 90 cm) in each Regulatory Area to develop and validate an auto-diametric method for estimating fecundity, and to investigate potential regional differences in reproductive output.

Vessel Name: *F/V Pender Isle* call sign: VG9701
 F/V Predator call sign: WBT5412

Chief Scientist: Kayla Ualesi, Setline Survey Coordinator

Effective Dates: September 15 – October 31, 2026

Study Area: 50 stations inside Ommaney (IPHC Biological Region 2) and Gore Pt.
 (IPHC Biological Region 3) IPHC Fishery-Independent Setline Survey
 (FISS) charter regions

The IPHC is conducting this survey as part of a scientific research plan and is therefore not regulated or bound by regulations under the Magnuson-Stevens Fishery Conservation and Management Act. Thus, the IPHC may retain and sell legal-sized and U32 halibut, Pacific cod and rockfish at the end of each cruise. Upon any vessel inspection, the lead scientist and captain must provide documentation and identification of any retained catch.

This LOA is separate and distinct from any permit required by the Marine Mammal Protection Act, Endangered Species Act, or any other applicable law. In order to facilitate identification of your activities as scientific research, a copy of the survey plan and this LOA must be on board each research vessel while conducting survey activities. Due to a lapse in the Letter of Authorization (awaiting reauthorization), the AFSC is not sponsoring the IPHC research through

this Letter or Acknowledgment (LOA), for purposes of extending the Marine Mammal Protection Act (MMPA) permit and Endangered Species Act (ESA) take exemption to the IPHC. However, the AFSC highly recommends that the IPHC continues to follow the previous Letter of Authorization monitoring, mitigation, and reporting requirements under the ESA and the MMPA during the "lapse period". These requirements include, among other things, reporting and communication with AFSC and NMFS Alaska Region staff, who are also available to answer questions and assist with compliance. In addition, IPHC staff are encouraged to contact AFSC and NMFS Alaska Region staff regarding any changes to IPHC scientific research activities that may cause effects beyond those already considered in the relevant ESA Section 7 biological opinion and MMPA previous five-year letter of authorization (such as use of new gear; gear modifications; or changes in survey intensity, timing, or location, including in Cook Inlet).

Generally, activities are deemed scientific research if conducted in accordance with the scientific research plan submitted for this LOA. Not covered by this LOA are any activities found not to fit the definition of scientific research activity or is outside the scope of the scientific research plan submitted for this LOA. This LOA covers research activities conducted inside the U.S Exclusive Economic Zone. If work is conducted in state waters, NMFS AFSC advises the IPHC to contact the Alaska Department of Fish & Game (ADF&G) to ensure all state permitting requirements are met.

The AFSC and other researchers maintain several moorings throughout Alaskan waters to collect important biological and oceanographic data. We ask all research teams operating in Alaskan waters to be aware of these mooring locations and avoid disturbing these sites. Please refer to this [link](#) for specific mooring locations.

We request you provide a copy of any cruise report or other publication created resulting from this cruise, including the amount, composition, and disposition of your samples, oceanographic, and benthic substrate data collected. Please send to:

Dr. Robert Foy
Robert.Foy@noaa.gov
Science and Research Director
Alaska Fisheries Science Center
7600 Sand Point Way NE
Seattle, WA 98115

We also request that any incidental take of, or injuries or mortalities to, marine mammals as a result of this research be reported to Anne Marie Eich (annemarie.eich@noaa.gov, +1 323-366-7543) or Nancy Friday (Nancy.Friday@noaa.gov, +1 206-526-6266).

For information regarding this LOA, please contact Jennifer Ferdinand by phone at +1 206-526-4076, or by email at jennifer.ferdinand@noaa.gov.



For

Robert Foy, Ph.D.
Science and Research Director
Alaska Fisheries Science Center

August 14, 2026

Date

cc:

F/AKC – J. Ferdinand
F/AKC2 – L. Britt
F/AKC – N. Friday
F/AKR – J. Kurland

F/OLE (AK Division)
USCG Arctic District – Commander
ADF&G - Commissioner
NPFMC – Diane Evans

More information on the ESA, and MMPA:

ESA (16 U.S.C. §§ 1531–1544): There are numerous endangered and threatened species in the proposed research areas. These may include Arctic: ringed seals, bearded seals, and bowhead whales; Cook Inlet: Cook Inlet beluga whale; elsewhere: Steller sea lions, fin whales, humpback whales, North Pacific right whales, sperm whales, Western North Pacific gray whales, and bowhead whales. NMFS Alaska Region also provides additional information on threatened and endangered marine mammals and critical habitat under NMFS jurisdiction in Alaska (see <https://alaskafisheries.noaa.gov/maps>).

Under the ESA, no person may “take” any endangered or threatened species without authorization. Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. Pursuant to 16 U.S.C. § 1539(a)(1)(B), the Secretary of Commerce may permit a prohibited taking of an ESA-listed species if it is incidental to, and not the purpose of, carrying out an otherwise lawful activity, such as marine scientific research. Accordingly, if the IPHC concludes its research could result in unintentional interactions with ESA-listed species, the vessel should obtain a permit under § 1539(a)(1)(B) before engaging in activities in the U.S. EEZ that may result in take. Such permits can be obtained by following the instructions found here: <https://www.fisheries.noaa.gov/permit/permits-incidental-taking-endangered-and-threatened-species>.

A permit issued under § 1539(a)(1)(B) of the ESA will include measures to minimize and mitigate the impacts of the authorized research activity. The IPHC must comply with those measures. Without a permit issued under § 1539(a)(1)(B) of the ESA, the IPHC is liable for any take of ESA-listed species in the U.S. EEZ. To note: there are different requirements under the ESA if the scientific research will intentionally take an ESA-listed species or if the research has been authorized, funded, or carried out in partnership with a U.S. federal agency.

If the proposed scientific research activity will occur in or near areas designated critical habitat for North Pacific right whales, NMFS Alaska Region recommends that vessel operators within designated critical habitat be especially vigilant for North Pacific right whales, and limit vessel speed to 10 knots or less within designated critical habitat, due to the right whales’ susceptibility to ship strikes. More information on North Pacific right whale critical habitat can be found at <https://www.fisheries.noaa.gov/resource/map/north-pacific-right-whale-critical-habitat-map>.

MMPA (16 U.S.C. §§ 1361–1421h): The MMPA prohibits the unauthorized “take” of any marine mammal in the U.S. EEZ. Take under the MMPA means to harass, hunt, capture, collect, or kill any marine mammal. Pursuant to 16 U.S.C. § 1371(a)(5), NMFS may issue an incidental take authorization for activities that result in the incidental but unintentional take of small numbers of marine mammals and that includes measures for monitoring and minimizing the impact of that take on marine mammals. However, there is no MMPA incidental take authorization available to non-U.S. citizens. Thus, for the IPHC to obtain an incidental take

authorization, it will need to partner with a U.S. citizen who will obtain an incidental take authorization from the Secretary of Commerce under 16 U.S.C. § 1371(a)(5)(D) (instructions found here: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/apply-incidental-take-authorization>). If scientific research is conducted in conjunction with and under the direction of U.S. citizens who have obtained an MMPA incidental take authorization, the IPHC would have to comply with the conditions set forth in the incidental take authorization, including mitigation measures. If the IPHC is in compliance with the incidental take authorization and takes a marine mammal during that scientific research, IPHC would not be liable under the MMPA for that take of a marine mammal. Without an incidental take authorization, the IPHC is liable under the MMPA for any take of a marine mammal in the U.S. EEZ.