



Fisheries
and Oceans

Pêches
et Océans

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Your file Votre référence

Our file Notre référence

6490-02

AUG 21 2009

Meagan Cummings
Lamont-Doherty Earth Observatory of Columbia University
P.O. Box 1000, 61 Route 9W
Palisades, New York
USA 10964-8000

Dear Ms. Cummings:

Subject: August 21 – September 22, 2009
Endeavour Seismic Survey, R/V Marcus G. Langseth

Fisheries and Oceans Canada has a legal obligation under the *Species at Risk Act* (SARA) to protect aquatic species at risk and their habitats.

We have reviewed the August 20, 2009 application by the Lamont-Doherty Earth Observatory of Columbia University for a permit under s.73(1) of SARA. Following our review, DFO has determined that the mitigation measures outlined in the application are sufficient to prevent harm and disturbance of marine mammals. As such, a SARA permit is not required for the conduct of your proposed works. Please be advised that as a result of the revised information provided in the August 20, 2009 SARA Application, the change in project dates, and that the Lamont-Doherty Earth Observatory of Columbia University is the applicant who provided this information, we consider the Letter of Agreement previously signed by the National Science Foundation on August 4, 2009 is no longer in effect.

Please note that this letter does not absolve the proponent from the responsibility of securing any other permits as may be required by federal or provincial legislation. All participants should be reminded of their obligation to comply at all times with section 7 of the *Marine Mammal Regulations*, which specifically prohibits the disturbance of marine mammals; and with section 32 of SARA which prohibits killing, harming, harassing, capturing or taking of a species at risk.

Canada

If you wish to discuss the mitigation measures or you have any other questions, please contact the undersigned at (604) 666-6532.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Reid', with a large, stylized flourish at the end.

Rebecca Reid
Regional Director
Oceans, Habitat and Enhancement Branch

cc. P. Jones, DFAIT
E. Tirpak, US Dept of State
G. Condran
S. Farlinger
L. Richards

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