



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF188]

Marine Mammals; File No. 29134

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Emily McCulliss, of Emily McCulliss Photography, LLC, P.O. Box 3668, Littleton, CO 80161, has applied in due form for a permit to conduct commercial and educational photography on marine mammals.

DATES: Written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: These documents are available upon written request via email to *NMFS.Pr1Comments@noaa.gov*.

Written comments on this application should be submitted via email to *NMFS.Pr1Comments@noaa.gov*. Please include File No. 29134 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to *NMFS.Pr1Comments@noaa.gov*. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Shasta McClenahan, Ph.D., or Erin Markin, Ph.D., (301) 427-8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C.

1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant requests a 2-year permit to film humpback whales (*Megaptera novaeangliae*) in Hawaii for educational materials including a digital magazine, newsletters, an interactive website, and art. Up to 400 humpback whales may be filmed and observed annually by vessel, an unmanned aircraft system, and underwater swimmers. Eight additional species of non-listed cetaceans may be unintentionally harassed and opportunistically filmed during these activities.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: September 23, 2025.

Shannon Bettridge,

Chief, Marine Mammal and Sea Turtle Conservation Division,

Office of Protected Resources,

National Marine Fisheries Service.

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