



INCIDENTAL HARASSMENT AUTHORIZATION

The Office of Naval Research (ONR) is hereby authorized under section 101(a)(5)(D) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1371(a)(5)(D)) to incidentally harass marine mammals, under the following conditions:

1. This Incidental Harassment Authorization (IHA) is valid from October 5, 2021 through October 4, 2022.
2. This IHA authorizes take incidental to the use of active acoustic sources, as specified in ONR's IHA application, associated with the Arctic Research Activities project in the Beaufort and eastern Chukchi Seas.
3. General Conditions
 - (a) A copy of this IHA must be in the possession of the Holder of the Authorization (Holder), its designees, lead protected species observers (PSOs), and work crew personnel operating under the authority of this IHA.
 - (b) The species and/or stocks authorized for taking are the beluga whale (*Delphinapterus leucas*; Beaufort Sea and eastern Chukchi Sea stocks) and the ringed seal (*Pusa hispida hispida*; Arctic stock) listed in Table 1. Authorized take, by Level B harassment only, is limited to the numbers listed in Table 1.
 - (c) The taking by injury (Level A harassment), serious injury, or death of any of the species listed in Table 1, or any taking of any other species of marine mammal is prohibited and may result in the modification, suspension, or revocation of this IHA. Any taking exceeding the authorized amounts listed in Table 1 is prohibited and may result in the modification, suspension, or revocation of this IHA.
 - (d) The Holder must ensure that supervisors and crews, the monitoring team, and relevant ONR staff are trained prior to the start of the activities subject to this IHA, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood. New personnel joining during the project must be trained prior to commencing work.
4. Mitigation Requirements
 - (a) All ships operated by or for the Navy must have personnel assigned to stand watch at all times while underway.
 - (b) During moored and drifting acoustic source deployment, ONR must implement a mitigation zone of 180 feet (55 meters) around the deployed source. Deployment must cease if a marine mammal is visually detected within the mitigation zone.



- (i) Deployment may recommence if any one of the following conditions are met:
 - i. The animal is observed exiting the exclusion zone;
 - ii. The animal is thought to have exited the exclusion zone based on its course and speed; or
 - iii. The exclusion zone has been clear from any additional sightings for a period of 15 minutes for pinnipeds and 30 minutes for cetaceans.
- (c) Ships must avoid approaching marine mammals head-on and must maneuver to maintain a mitigation zone of 500 yards (457 meters) around all observed cetaceans and 200 yards (183 meters) around all other observed marine mammals, provided it is safe to do so.
- (d) All personnel conducting on-ice experiments, as well as all aircraft operating in the study area, must maintain a separation distance of 1,000 feet (305 meters) from any sighted marine mammal.

5. Monitoring

The holder of this Authorization is required to conduct marine mammal monitoring during Arctic Research Activities. Monitoring and reporting must be conducted in accordance with the Integrated Comprehensive Monitoring Program (ICMP).

- (a) While underway, all ships must have at least one person on watch during all activities.
- (b) During deployment of acoustic sources or unmanned underwater vehicles (UUVs), visual observation must begin 30 minutes prior to deployment and continue through 30 minutes following the source deployment.

6. Reporting

The holder of this Authorization is required to:

- (a) Submit a draft report on all monitoring conducted under the IHA within ninety calendar days of the completion of marine mammal monitoring, or sixty days prior to the issuance of any subsequent IHA for this project, whichever comes first. The report must include data regarding acoustic source use, the number of shutdowns during monitoring, any marine mammal sightings (including the marine mammal's location (latitude and longitude)), and the number of individuals of each species observed during source deployment and operation, and their behavior and distance from the project activities. A final report must be prepared and submitted within thirty days following resolution of comments on the draft report from NMFS.
- (b) If no comments are received from NMFS within 30 days of submission of the draft final report, the draft final report will constitute the final report. If comments

are received, a final report must be submitted within 30 days after receipt of comments.

- (c) Reporting injured or dead marine mammals:
- (i) Discovery of injured or dead marine mammal – In the event that personnel involved in the survey activities discover an injured or dead marine mammal, the IHA-holder must report the incident to the Office of Protected Resources (OPR) (301-427-8401), NMFS and to the Alaska Regional Stranding Coordinator, NMFS at 877-925-7773 as soon as feasible. The report must include the following information:
 - 1. Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
 - 2. Species identification (if known) or description of the animal(s) involved;
 - 3. Condition of the animal(s) (including carcass condition if the animal is dead);
 - 4. Observed behaviors of the animal(s), if alive;
 - 5. If available, photographs or video footage of the animal(s); and
 - 6. General circumstances under which the animal was discovered.
 - (ii) Vessel Strike – In the event of a ship strike of a marine mammal by any vessel involved in the activities covered by the authorization, the IHA-holder must report the incident to OPR, NMFS and to the Alaska Regional Stranding Coordinator as soon as feasible. The report must include the following information:
 - 1. Time, date, and location (latitude/longitude) of the incident;
 - 2. Species identification (if known) or description of the animal(s) involved;
 - 3. Vessel's speed during and leading up to the incident;
 - 4. Vessel's course/heading and what operations were being conducted (if applicable);
 - 5. Status of all sound sources in use;
 - 6. Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike;

7. Environmental conditions (*e.g.*, wind speed and direction, Beaufort sea state, cloud cover, visibility) immediately preceding the strike;
8. Estimated size and length of animal that was struck;
9. Description of the behavior of the marine mammal immediately preceding and following the strike;
10. If available, description of the presence and behavior of any other marine mammals immediately preceding the strike;
11. Estimated fate of the animal (*e.g.*, dead, injured but alive, injured and moving, blood or tissue observed in the water, status unknown, disappeared); and
12. To the extent practicable, photographs or video footage of the animal(s).

7. This Authorization may be modified, suspended or revoked if the holder fails to abide by the conditions prescribed herein (including, but not limited to, failure to comply with monitoring or reporting requirements), or if NMFS determines: (1) the authorized taking is likely to have or is having more than a negligible impact on the species or stocks of affected marine mammals, (2) the authorized taking is likely to have or is having an unmitigable adverse impact on the availability of the affected species or stocks for subsistence uses, or (3) the prescribed measures are likely not or are not effecting the least practicable adverse impact on the affected species or stocks and their habitat.

8. Renewals

On a case-by-case basis, NMFS may issue a one-time, one-year Renewal IHA following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical, or nearly identical, activities are planned or (2) the specified activities would not be completed by the time this IHA expires and a Renewal would allow for completion of the activities, provided all of the following conditions are met:

- (a) A request for renewal is received no later than 60 days prior to the needed Renewal IHA effective date (the Renewal IHA expiration date cannot extend beyond one year from expiration of this IHA).
- (b) The request for renewal must include the following:
 - (i) An explanation that the activities to be conducted under the requested Renewal IHA are identical to the activities analyzed for this IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take).

- (ii) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- (c) Upon review of the request for Renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings made in support of this IHA remain valid.

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Kimberly Damon-Randall,
Director, Office of Protected Resources,
National Marine Fisheries Service.

9/30/2021

Date

Table 1. Authorized take numbers, by species and stock, for Level B harassment

Species	Scientific Name	Stock(s)	Authorized Level B Harassment
Beluga whale	<i>(Delphinapterus leucas)</i>	Beaufort Sea	375
		Eastern Chukchi Sea	125
Ringed seal	<i>(Pusa hispida hispida)</i>	Arctic	6,050