



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

SEP 21 2018

Raymond Soukup
U.S. Navy Office of Naval Research
875 N Randolph Street, Suite 1425
Arlington, VA 22203

Dear Mr. Soukup:

Enclosed is an Incidental Harassment Authorization (IHA) issued to the U.S. Navy's Office of Naval Research (ONR), under the authority of Section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*), to harass marine mammals, by Level B harassment, incidental to the Arctic Research Activities project from September 20, 2018 through September 19, 2019.

You are required to comply with the conditions contained in the IHA. In addition, you must submit reports to the National Marine Fisheries Service's (NMFS) Office of Protected Resources within 90 days following the research activities. The IHA requires monitoring of marine mammals by qualified individuals before, during, and after icebreaking and acoustic source deployment and reporting of marine mammal observations, including species, numbers, and behavioral modifications potentially resulting from this activity.

If you have any questions concerning the IHA or its requirements, please contact Amy Fowler, Office of Protected Resources, NMFS, at 301-427-8461.

Sincerely,

Donna S. Wieting
Director, Office of Protected Resources

Enclosures





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 harass marine mammals incidental to Arctic Research Activities in the Beaufort and Chukchi Seas, when adhering to the following terms and conditions.

1. This Incidental Harassment Authorization (IHA) is valid from September 20, 2018 through September 19, 2019.
2. This IHA is valid only for use of active acoustic sources and icebreaking associated with the Arctic Research Activities project in the Beaufort and Chukchi Seas.
3. General Conditions
 - (a) A copy of this IHA must be in the possession of the ONR, its designees, and work crew personnel operating under the authority of this IHA.
 - (b) The species authorized for taking are the beluga whale (*Delphinapterus leucas*), ringed seal (*Pusa hispida hispida*), and bearded seal (*Erignathus barbatus*).
 - (c) The taking, by Level B harassment only, is limited to the species listed in condition 3(b). The authorized take numbers are shown below:
 - (i) 92 beluga whales
 - (ii) 3,071 ringed seals
 - (iii) 5 bearded seals
 - (d) The taking by injury (Level A harassment), serious injury, or death of any of the species listed in condition 3(b) of the Authorization or any taking of any other species of marine mammal is prohibited and may result in the modification, suspension, or revocation of this IHA.

4. Mitigation Measures

The holder of this Authorization is required to implement the following mitigation measures:

- (a) All ships operated by or for the Navy are required to have personnel assigned to stand watch at all times while underway.
- (b) For all towed active acoustic sources, ONR is required to implement a minimum exclusion zone of 200 yards (yd; 183 meters (m)) radius from the source. If a marine mammal comes within or approaches the exclusion zone, such operations must cease.



- (i) Active transmission 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 and relative motion between the animal and the source;
 - iii. The exclusion zone has been clear from any additional sightings for a period of 15 minutes for pinnipeds and 30 minutes for cetaceans; or
 - iv. The ship has transited more than 400 yd (366 m) beyond the location of the last sighting.
- (c) During mooring and recorder deployment, ONR is required to implement an exclusion zone of 60 yd (55 m) around the deployed mooring or recorder. Deployment must cease if a marine mammal is visually detected within the exclusion 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.
- (d) Ships are required to avoid approaching marine mammals head-on and must maneuver to maintain an exclusion zone of 500 yd (457 m) around observed mysticete whales and 200 yd (183 m) from all other observed marine mammals, provided it is safe to do so.
- (e) All personnel conducting on-ice experiments, as well as all aircraft operating in the study area, are required to maintain a separation distance of 1,000 feet (ft; 305 m) from any sighted pinniped.
- (f) All ships are required to coordinate with the Alaska Eskimo Whaling Commission (AEWC) using established check-in and communication procedures when vessels approach subsistence hunting areas.

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 utilizing active acoustic sources and towed in-water devices must have at least one person on watch during all activities.
- (b) During deployment of acoustic sources, 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:

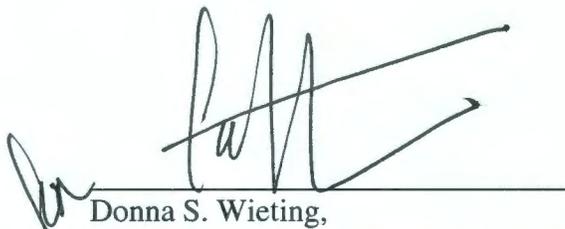
- (a) Submit a draft report on all monitoring conducted under the IHA within 90 calendar days of the completion of marine mammal monitoring. The report must include data regarding acoustic source use, any marine mammal sightings, the number of shutdowns during monitoring, and an estimate of the number of marine mammals taken during the activity. 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.
- (b) Reporting injured or dead marine mammals:
 - (i) In the unanticipated event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by this IHA, such as an injury (Level A harassment), serious injury, or mortality, ONR must immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS at 301-427-8401, and the Alaska Regional Stranding Coordinator, NMFS at 877-925-7773. The following information must be provided:
 - i. Time, date, and location of the discovery;
 - ii. Species identification (if known) or description of the animal(s) involved;
 - iii. Condition of the animal(s) (including carcass condition if the animal is dead);
 - iv. Observed behaviors of the animal(s), if alive;
 - v. If available, photographs or video footage of the animal(s); and
 - vi. General circumstances under which the animal(s) was discovered (*e.g.*, during use of towed acoustic sources, deployment of moored or drifting sources, during on-ice experiments, or by transiting vessel).

- 7. This Authorization may be modified, suspended or withdrawn if the holder fails to abide by the conditions prescribed herein, or if NMFS determines the authorized taking is having more than a negligible impact on the species or stock of affected marine mammals.

8. Renewals

On a case-by-case basis, NMFS may issue a second one-year IHA without additional notice when 1) another year of identical or nearly identical activities as described in the Specified Activities section is planned or 2) the activities would not be completed by the time the IHA expires and a second IHA would allow for completion of the activities beyond that described in the Dates and Duration section, provided all of the following conditions are met:

- (a) A request for renewal is received no later than 60 days prior to expiration of the current IHA.
- (b) The request for renewal must include the following:
 - (i) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (e.g., reduction in pile size) that the changes do not affect the previous analyses, take estimates, or mitigation and monitoring requirements.
 - (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 remain the same and appropriate, and the original findings remain valid.



Donna S. Wieting,
Director, Office of Protected Resources,
National Marine Fisheries Service.

9/20/18

Date