



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

SEP 02 2014

Dr. Jamie Womble
Glacier Bay National Park
P.O. Box 140
Gustavus, AK 99826

Dear Dr. Womble:

Enclosed is an Incidental Harassment Authorization (Authorization) issued to Glacier Bay National Park, under the authority of Section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*), to take, by Level B harassment only, small numbers of Pacific harbor seals (*Phoca vitulina richardsi*) incidental to conducting seabird monitoring and research operations in Alaska. The Authorization is valid from September 2, 2014 through September 30, 2014.

You are required to comply with the conditions contained in the Authorization. In addition, you must cooperate with any federal, state or local agency authorized to monitor the impacts of your activities, and submit a draft report to the National Marine Fisheries Service's (NMFS) Office of Protected Resources within 90 days after the expiration of the Authorization. If you have any questions concerning the Authorization or its requirements, please contact Jeannine Cody, Office of Protected Resources, NMFS, at (301) 427-8401.

Sincerely,

PERRY GAYACCO

for Donna S. Wieting,
Director
Office of Protected Resources

Enclosures



INCIDENTAL HARASSMENT AUTHORIZATION

Glacier Bay National Park, P.O. Box 140, Gustavus, Alaska 99826 and/or its designees (holders of the Authorization) are hereby authorized under section 101(a)(5)(D) of the Marine Mammal Protection Act (16 U.S.C. 1371(a)(5)(D)) to harass small numbers of marine mammals incidental to conducting monitoring and research studies on glaucous-winged gulls (*Larus glaucescens*) within Glacier Bay National Park and Preserve in Alaska:

1. This Authorization is valid from September 2, 2014 through September 30, 2014.
2. This Authorization is valid only for research activities that would occur in the following specified geographic areas:
Boulder (58° 33' 18.08" N; 136° 1' 13.36" W); Lone (58° 43' 17.67" N; 136° 17' 41.32" W), and Flapjack (58° 35' 10.19" N; 135° 58' 50.78" W) Islands, and Geikie Rock (58° 41' 39.75" N; 136° 18' 39.06" W); and Tlingit Point Islet (58° 45' 16.86" N; 136° 10' 41.74" W) in Glacier Bay, Alaska.

3. Species Authorized and Level of Takes

(a) The taking, by Level B harassment only, is limited to the following species: 400 Pacific harbor seals (*Phoca vitulina*).

(b) The taking by injury (Level A harassment), serious injury or death of any of the species listed in Condition 3(a) or the taking of any kind of any other species of marine mammal is prohibited and may result in the modification, suspension or revocation of this Authorization.

(c) The taking of any marine mammal in a manner prohibited under this Authorization must be reported immediately to the Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, at (301) 427-8401.

4. General Conditions

(a) A copy of this Authorization must be in the possession of Glacier Bay National Park, its designees, and field crew personnel (including research collaborators) operating under the authority of this Authorization at all times.

5. Mitigation Measures

In order to ensure the least practicable impact on the species listed in condition 3(a), the Holder of this Authorization is required to:

- (a) Conduct pre-survey monitoring before deciding to access a study site. Prior to deciding to land onshore of Boulder, Lone, or Flapjack Island or Geikie Rock, the Holder of this Authorization will use high-powered image stabilizing binoculars to document the number, species, and location of hauled out marine mammals at each island. The vessels will maintain a distance of 328 to 1,640 ft (100 to 500 m) from the shoreline.
 - i. If the Holder of the Authorization determines that there are greater than or equal to 25 harbor seals hauled out on the shoreline, the holder will not access the island and will not conduct the study at that time.
 - ii. If the Holder of the Authorization determines that Steller sea lions (*Eumetopias jubatus*) are present at the study site, the holder will not access the island and will not conduct the study at that time.
 - iii. If the Holder of the Authorization determines that there are greater than or equal to 25 harbor seal pups hauled out on the shoreline, the holder will not access the island and will not conduct the study at that time.
- (b) Minimize the potential for disturbance (to the lowest level practicable near known pinniped haul outs by boat travel and pedestrian approach during research activities) by:
 - 1) performing controlled and slow ingress to the study site to prevent a stampede; and
 - 2) selecting a pathway of approach farthest from the hauled out harbor seals to minimize disturbance.
- (c) Monitor for offshore predators. Avoid approaching the study site if killer whales (*Orcinus orca*) are present. If the Holder of this Authorization observes predators in the area, they must not disturb the animals until the area is free of predators.
- (d) Maintain a quiet research atmosphere in the visual presence of pinnipeds.

6. Monitoring

The holder of this Authorization is required to:

- (a) Record the date, time, and location (or closest point of ingress) of each visit to the research site.
- (b) Collect the following information for each visit:
 - i. composition of the marine mammals sighted, such as species, gender and life history stage (e.g., adult, sub-adult, pup);
 - ii. information on the numbers (by species) of marine mammals observed during the activities;
 - iii. the estimated number of marine mammals (by species) that may have been harassed during the activities;
 - iv. any behavioral responses or modifications of behaviors that may be attributed to the specific activities and a description of the specific activities occurring during that time (e.g., pedestrian approach, vessel approach); and
 - v. information on the weather, including the tidal state and horizontal visibility.

- (c) Observers will record marine mammal behavior patterns observed before, during, and after the activities; in the following manner:
 - i. flushing into the water;
 - ii. stampeding into water;
 - iii. moving more than 1 meter (m), but not in the water;
 - iv. becoming alert and moving, but did not move more than 1 m; or
 - v. changing the direction of current movement.
- (d) If applicable, note observations of marked or tag-bearing pinnipeds or carcasses, as well as any rare or unusual species of marine mammal.
- (e) If applicable, note the presence of any offshore predators (date, time, number, species).

7. Reporting

The holder of this Authorization is required to:

- (a) **Draft Report:** Submit a draft final report to the Chief, Permits and Conservation Division, Office of Protected Resources, Headquarters, NMFS within 90 days after the expiration of the IHA. The report will include the information gathered pursuant to the monitoring requirements listed in item 6, along with an executive summary.
- (b) The Draft Report shall be subject to review and comment by NMFS. Any recommendations made by NMFS must be addressed in the Final Report prior to submission to NMFS. If we decide that the draft final report needs no comments, the draft final report will be considered to be the final report.
- (c) **Final Report:** Submit a final report to the Chief, Permits and Conservation Division, Office of Protected Resources, Headquarters, NMFS within 30 days after receiving comments from us on the draft final report.

8. Reporting Prohibited Take

In the unanticipated event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by the authorization, such as an injury (Level A harassment), serious injury, or mortality (e.g., vessel-strike, stampede, etc.), Glacier Bay National Park shall immediately cease the specified activities and immediately report the incident to the Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, at 301-427-8401 and/or by email to Jolie.Harrison@noaa.gov and ITP.Cody@noaa.gov and the Alaska Regional Stranding Coordinator at (907) 586-7248 (Aleria.Jensen@noaa.gov):

Time, date, and location (latitude/longitude) of the incident; the name and type of vessel involved; the vessel's speed during and leading up to the incident; description of the incident; water depth; environmental conditions (e.g., wind speed and direction, Beaufort sea state, cloud cover, and visibility); description of marine mammal observations in the 24 hours preceding the incident; species identification or description of the animal(s) involved; the fate of the animal(s); and photographs or video footage of the animal (if equipment is available).

Glacier Bay National Park shall not resume its activities until NMFS is able to review the circumstances of the prohibited take. We will work with Glacier Bay National Park to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. Glacier Bay National Park may not resume their activities until notified by us via letter, email, or telephone.

9. Reporting an Injured or Dead Marine Mammal with an Unknown Cause of Death

In the event that Glacier Bay National Park discovers an injured or dead marine mammal, and the lead researcher determines that the cause of the injury or death is unknown and the death is relatively recent (i.e., in less than a moderate state of decomposition as we describe in the next paragraph), Glacier Bay National Park will immediately report the incident to the Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, at 301-427-8401 and/or by email to Jolie.Harrison@noaa.gov and ITP.Cody@noaa.gov and the Alaska Regional Stranding Coordinator at (907) 586-7248 (Aleria.Jensen@noaa.gov). The report must include the same information identified in the paragraph above this section. Activities may continue while we review the circumstances of the incident. NMFS will work with Glacier Bay National Park to determine whether modifications in the activities are appropriate. Glacier Bay NP can continue their research activities.

10. Reporting an Injured or Dead Marine Mammal not Related to Glacier Bay NP's Activities

In the event that Glacier Bay National Park discovers an injured or dead marine mammal, and the lead visual observer determines that the injury or death is not associated with or related to the authorized activities (e.g., previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), Glacier Bay will report the incident to the incident to the Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, at 301-427-8401 and/or by email to Jolie.Harrison@noaa.gov and ITP.Cody@noaa.gov and the Alaska Regional Stranding Coordinator at (907) 586-7248 (Aleria.Jensen@noaa.gov) within 24 hours of the discovery. Glacier Bay NP researchers will provide photographs or video footage (if available) or other documentation of the stranded animal sighting to us. Glacier Bay National Park can continue their research activities.

11. A copy of this Authorization must be in the possession of Glacier Bay NP and its designees (including contractors and marine mammal monitors) operating under the authority of this Incidental Harassment Authorization at all times.

Paray GAYARDO

SEP 02 2014

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

Date