



INCIDENTAL HARASSMENT AUTHORIZATION

The United States Department of the Navy (Navy) 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 February 1, 2024 through April 30, 2024.
2. This IHA authorizes take incidental to 2024 Ice Exercise Activities in the Arctic Ocean, as specified in the Navy's October 2023 IHA application.

3. General Conditions

- (a) A copy of this IHA must be in the possession of the Navy, its designees, and work crew personnel operating under the authority of this IHA at all times that activities subject to this IHA are being conducted.
- (b) The species authorized for taking is the ringed seal. 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 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 of this Authorization also must abide by the reasonable and prudent measures and terms and conditions of the January 11, 2024 Biological Opinion and Incidental Take Statement (attached) issued by NMFS pursuant to section 7 of the Endangered Species Act.

4. Mitigation Requirements

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

- (a) Appropriate personnel (including civilian personnel) involved in mitigation and training or testing activity reporting under the specified activities must complete Arctic Environmental and Safety Awareness Training. Modules include: Arctic Species Awareness and Mitigations, Environmental Considerations, Hazardous Materials Management, and General Safety.
- (b) Measures to avoid take during on-ice activities:
 - (i) The ice camp and runway must be established on first-year or multi-year ice without pressure ridges.



- (ii) Ice camp deployment must begin no later than mid-February 2024 and be gradual, with activity increasing over the first five days. Camp deployment must be completed by March 15, 2024.
 - (iii) Personnel on all on-ice vehicles must observe for marine and terrestrial animals.
 - (iv) Snowmobiles must follow established routes, when available. On-ice vehicles must not be used to follow any animal, with the exception of actively deterring polar bears in accordance with U.S. Fish and Wildlife Service requirements or guidance if the situation requires.
 - (v) Personnel on foot and operating on-ice vehicles must avoid areas of deep (>0.5 m) snowdrifts and pressure ridges by 0.8 km.
 - (vi) Personnel must maintain a 100-meter (328 ft) avoidance distance from all observed marine mammals.
 - (vii) All material (e.g., tents, unused food, excess fuel) and wastes (e.g., solid waste, hazardous waste) must be removed from the ice floe upon completion of ICEX 2024 activities.
- (c) Shutdown and delay measures
- (i) Personnel must begin passive acoustic monitoring (PAM) for vocalizing marine mammals 15 minutes prior to the start of activities involving active acoustic transmissions from submarines.
 - (ii) Personnel must delay active acoustic transmissions if a marine mammal is detected during pre-activity PAM and must shutdown active acoustic transmissions if a marine mammal is detected during acoustic transmissions.
 - (iii) Personnel must not restart acoustic transmissions until 15 minutes have passed with no marine mammal detections.
- (d) Mitigation required for aircraft activities
- (i) Fixed wing aircraft must operate at the highest altitudes practicable taking into account safety of personnel, meteorological conditions, and need to support safe operations of a drifting ice camp. Aircraft must not reduce altitude if a seal is observed on the ice. In general, cruising elevation must be 457 m (1,500 ft) or higher.
 - (ii) Unmanned Aircraft Systems (UASs) must maintain a minimum altitude of at least 15.2 m (50 ft) above the ice. They must not be used to track or follow marine mammals.
 - (iii) Helicopter flights must use prescribed transit corridors when traveling to or from Prudhoe Bay and the ice camp. Helicopters must not hover or circle above marine mammals or within 457 m (1,500 ft) of marine mammals.
 - (iv) Aircraft must maintain a minimum separation distance of 1.6 km (1 mi) from groups of 5 or more seals.
 - (v) Aircraft must not land on ice within 800 m (0.5 mi) of hauled-out seals.

5. Monitoring Requirements

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

- (a) Ice camp personnel must monitor for marine mammals in the vicinity of the ice camp and record all observations of marine mammals, regardless of distance from the ice camp, as well as the additional data indicated in section 6 of this IHA.
- (b) Navy personnel must conduct passive acoustic monitoring during all active sonar use.
- (c) Ice camp personnel must maintain an awareness of the surrounding environment and document any observed marine mammals.
- (d) When traveling away from camp, each snow machine must have a dedicated observer (not the vehicle operator) or each expeditionary team must have at least one observer. Observers must be capable of observing and recording marine mammal presence and behaviors, and accurately and completely record data. When traveling, observers will have no other primary duty than to watch for and report observations related to marine mammals and human/seal interactions. Dedicated observers can also serve as the communicator between the field party and camp.

6. Reporting

- (a) The holder of this Authorization is required to submit a draft report on all monitoring conducted under the IHA within 90 calendar days of the completion of the planned training and testing activities. A final report must be prepared and submitted within 30 calendar days following receipt of any NMFS comments on the draft report. If no comments are received from NMFS within 30 calendar days of receipt of the draft report, the report shall be considered final. The report, at minimum, must include:
 - (i) Marine mammal monitoring effort including date, time, duration of observation efforts;
 - (ii) The minimum distance between human activities and seals or seal lairs;
 - (iii) Duration of time during which seals or seal lairs were known to be present within 150 m of human activities, and the behaviors exhibited by the seals during those observation periods;
 - (iv) Account of the status of all seal lairs located within 150 m of camps or ice trails through time; Ice camp activities occurring during each monitoring period (e.g., construction, demobilization, safety watch, field parties);
 - (v) Number of marine mammals detected;
 - (vi) Upon observation of a marine mammal, record the following information:
 - A. Environmental conditions when animal was observed, including relevant weather conditions such as cloud cover, snow, sun glare, and overall visibility, and estimated observable distance;
 - B. Lookout location and ice camp activity at time of sighting (or location and activity of personnel who made observation, if observed outside of designated monitoring periods);

- C. Time and approximate location of sighting;
 - D. Identification of the animal(s) (e.g., seal, or unidentified), also noting any identifying features;
 - E. Distance and location of each observed marine mammal relative to the ice camp location for each sighting;
 - F. Estimated number of animals (min/max/best estimate);
 - G. Description of any marine mammal behavioral observations (e.g., observed behaviors such as traveling), including an assessment of behavioral responses thought to have resulted from the activity (e.g., no response or changes in behavioral state such as ceasing feeding, changing direction, flushing).
- (b) The Navy must provide data regarding sonar use and the number of and date and time of any shutdowns during ICEX24 activities in the Atlantic Fleet Training and Testing (AFTT) Letter of Authorization 2025 annual classified report.
 - (c) The Navy must analyze any declassified underwater recordings collected during ICEX24 for marine mammal vocalizations and report that information to NMFS, including the types and natures of sounds heard (e.g., clicks, whistles, creaks, burst pulses, continuous, sporadic, strength of signal) and the species or taxonomic group (if determinable). This information must be submitted to NMFS with the 2025 annual AFTT declassified monitoring report.
 - (d) All draft and final monitoring reports must be submitted to *PR.ITP.MonitoringReports@noaa.gov* and *itp.davis@noaa.gov*.
 - (e) Reporting injured or dead marine mammals:
In the event that personnel discover an injured or dead marine mammal, personnel must report the incident to the Office of Protected Resources (OPR), NMFS (*PR.ITP.MonitoringReports@noaa.gov* and *itp.davis@noaa.gov*) and to the Alaska regional stranding network (877-925-7773) as soon as feasible.

The report must include the following information:

- (i) Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
- (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 submarine activities, observed on ice floe, or by transiting aircraft).

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 (or a subset of those activities) are planned or (2) the specified activities will not be completed by the time the 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 (note a 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.

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

Table 1-- Authorized Incidental Take.

Species	Stock	Level B harassment
Ringed seal	Arctic	126