UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

LETTER OF AUTHORIZATION

The St. George Reef Lighthouse Preservation Society (Society) and their designees are hereby authorized under section 101(a)(5)(A) of the Marine Mammal Protection Act (MMPA; 16 U.S.C. 1371(a)(5)(A)) to incidentally harass marine mammals, subject to the provisions of the MMPA and the Regulations Governing Taking Marine Mammals Incidental to Lighthouse Repair and Tour Operations at Northwest Seal Rock, California (50 CFR Part 217, Subpart F) (Regulations):

1. This letter of authorization (LOA) is valid from the date of issuance through May 14, 2027.

2. This IHA authorizes take incidental to the Lighthouse Repair and Tour Operations Project at Northwest Seal Rock (NWSR), California, as specified in the Society's August 2021 LOA application.

3. General Conditions

   (a) A copy of this LOA must be in the possession of the Holder of the Authorization (Holder), supervisory personnel, pilot, protected species observers (PSOs), and any other relevant designees of the Holder operating under the authority of this LOA at all times that activities subject to this LOA are being conducted.

   (b) The species and/or stocks authorized for taking are listed in Table 1. Authorized take, by Level B harassment only, is limited to the species and numbers listed in Table 1.

   (c) The taking by 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 LOA. Any taking exceeding the authorized amounts listed in Table 1 is prohibited and may result in the modification, suspension, or revocation of this LOA.

   (d) The Holder must conduct training between supervisors and crews and the marine mammal monitoring team and relevant Society staff prior to the start of all trips and when new personnel join the work, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood. Visitors to the Station must be instructed to avoid unnecessary noise

and not expose themselves visually to pinnipeds around the base of the lighthouse.

4. Mitigation Requirements

(a) Loud outside activity must be halted upon observation on Northwest Seal Rock (NWSR) of either a species for which incidental take is not authorized or a species for which incidental take has been authorized but the authorized number of takes has been met.

(b) All personnel must avoid direct physical interaction with marine mammals during activity. If a marine mammal comes within 10 meters of such activity, operations must cease until the animal leaves of its own accord.

(c) No more than 2 restoration trips, or 6 days of flight operations, are permitted per month.

(d) The pilot must ensure the helicopter approach patterns to NWSR are such that the timing and techniques are least disturbing to marine mammals.

(i) To the extent possible, the helicopter must approach NWSR when the tide is too high for marine mammals to haul out on NWSR.

(ii) The helicopter must avoid rapid and direct approaches by the helicopter to the station by approaching NWSR at relatively high altitude (e.g., 800 - 1,000 feet). Before the final approach, the helicopter must circle lower and approach from an area where the density of pinnipeds is lowest. The helicopter may deviate from the intended approach in cases where safety is of concern (e.g. during unfavorable wind conditions or poor visibility).

5. Monitoring Requirements

(a) Monitoring must take place for all helicopter take-offs and landings. The project area must be monitored to the maximum extent possible based on the required monitoring locations and environmental conditions. All observations of marine mammals must be recorded regardless of distance from activity.

(b) Monitoring must be conducted by a trained PSO, who must have no other assigned tasks during monitoring periods. Trained PSOs must be placed at the best vantage point(s) practicable to monitor for marine mammals and implement

mitigation procedures when applicable. The Society must adhere to the following additional PSO qualifications:

(i) Independent PSOs are required.

(ii) At least one PSO must have prior experience working as an observer.

(iii) Other observers may substitute education (degree in biological science or related field) or training for experience

(c) PSOs must be approved by NMFS prior to beginning any activity subject to this LOA.

(d) In cases where PSO services cannot be practicably obtained, monitoring may be completed by Society personnel using high definition cameras and/or video recording devices placed and operated at required monitoring locations. The use of high definition cameras or video devices operated by Society personnel may be used in place of PSOs when PSOs are not available. Accurate video/camera locations and time stamps must be recorded.

(e) The Holder must establish the following monitoring locations: In the helicopter on the first flight to the station each day; on the platform of the lantern room gallery or the top of the caisson, on the last departing helicopter of the day. Monitoring must be completed from the helicopter on the first and last take-off each day, and for 15 minutes before and after all other takeoffs and landings from the platform of the lantern room gallery or the top of the caisson.

(f) Any behavioral reactions in concert with distance from project activity should be documented.

6. Reporting

(a) The Holder must submit monitoring reports on an annual basis. Draft report(s) must be submitted no later than 90 days following the end of the calendar year or 60 calendar days prior to the requested issuance of any subsequent LOA for activity at the same location, whichever comes first.

(b) All draft and final monitoring reports must be submitted to *PR.ITP.MonitoringReports@noaa.gov* and *Kate.Fleming@noaa.gov*.

(c) The marine mammal report must contain the informational elements described above, an overall description of the work completed, a narrative regarding marine mammals sightings, and, at minimum, must include:

(i) Dates and times (begin and end) of all marine mammal monitoring;

(ii) Activities occurring during all marine mammal monitoring (*e.g.*, helicopter takeoffs and landings, construction activities):

(iii) PSO locations and/or camera/video recorder placement during marine mammal monitoring;

(iv) Environmental conditions during monitoring periods (at beginning and end of PSO shift and whenever conditions change significantly), including Beaufort sea state and any other relevant weather conditions including cloud cover, fog, sun glare, and overall visibility to the horizon, and estimated observable distance;

(v) Upon each flight, the following information:

A. Name of PSO who sighted the animal(s) and monitoring location and activity at time of sighting;

B. Time of sighting;

C. Identification of the animal(s) (e.g., genus/species, lowest possible taxonomic level, or unidentified), PSO confidence in identification, and the composition of the group if there is a mix of species;

D. Distance and bearing of each observed marine mammal relative to the activity for each flight;

E. Estimated number of animals (min/max/best estimate);

F. Estimated number of animals by cohort (adults, juveniles, neonates, group composition, etc.);

G. Description of any marine mammal behavioral observations (e.g., observed behaviors such as feeding or traveling), including an

assessment of behavioral responses thought to have resulted from the activity according to the pinniped disturbance scale (Table 2);

(vi) Number of marine mammals detected, by species; and

(vii) Detailed information about implementation of any mitigation triggered, a description of specific actions that ensued, and resulting changes in behavior of the animal(s), if any.

(d) Reporting injured or dead marine mammals:

In the event that personnel involved in the construction activities discover an injured or dead marine mammal, the Holder must report the incident to the Office of Protected Resources (OPR), NMFS (*PR.ITP.MonitoringReports@noaa.gov* and *Kate.Fleming@noaa.gov*) and to the West Coast regional stranding network (866-767-6114) as soon as feasible. If the death or injury was clearly caused by the specified activity, the Holder must immediately cease the activities until NMFS OPR is able to review the circumstances of the incident and determine what, if any, additional measures are appropriate to ensure compliance with the terms of this IHA. The Holder must not resume their activities until notified by NMFS.

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 was discovered.

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, or (2) the prescribed measures are likely not or are not effecting the least practicable adverse impact on the affected species or stocks and their habitat.

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

Table 1. Authorized Incidental Take on an Annual Basis

Common name	Scientific name	Stock	Level B harassment
California sea lion	*Zalophus californianus*	U.S.	11,200
Steller sea lion	*Eumetopias jubatus*	Eastern U.S.	10,850
Pacific harbor seal	*Phoca vitulina richardii*	California	140
Northern fur seal	*Callorhinus ursinus*	California Breeding	70

Table 2. Disturbance Scale of Pinniped Responses

Level	Type of response	Definition
1	Alert	Seal head orientation or brief movement in response to disturbance, which may include turning head towards the disturbance, craning head and neck while holding the body rigid in a u-shaped position, changing from a lying to a sitting position, or brief movement of less than twice the animal's body length.
2*	Movement	Movements in response to the source of disturbance, ranging from short withdrawals at least twice the animal's body length to longer retreats over the beach, or if already moving a change of direction of greater than 90 degrees.
3*	Flush	All retreats (flushes) to the water.

* Only Levels 2 and 3 are considered take, whereas Level 1 is not.