

REQUEST FOR AUTHORIZATION RENEWAL  
FOR THE INCIDENTAL HARASSMENT OF MARINE MAMMALS  
RESULTING FROM PILE DRIVING AND REMOVAL ACTIVITIES DUE TO THE  
RELOCATION OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)  
OFFICE OF MARINE AVIATION OPERATIONS (OMAO) RESEARCH VESSELS  
AT  
NAVAL STATION NEWPORT, NEWPORT, RHODE ISLAND



**Submitted to:**

**Office of Protected Resources, National Marine Fisheries Service, National  
Oceanographic and Atmospheric Administration**

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**Prepared for:**

**National Oceanic and Atmospheric Administration**

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## Table of Contents

1	Description of Activities.....	4
	1.1 Introduction.....	4
	1.2 Consultation History.....	4
	1.3 Background.....	4
2	Dates, Duration, and Geographic Region.....	4
3	Species and Numbers of Marine Animals.....	6
4	Affected Species Status and Distribution.....	6
5	Type of Incidental Taking Authorization Requested.....	8
6	Take Estimates for Marine Mammals.....	11
7	Anticipated Impact of the Activity.....	12
8	Anticipated Impacts on Subsistence Uses.....	12
9	Anticipated Impacts on Habitat.....	12
10	Anticipated Effects of Habitat Impacts on Marine Mammals.....	12
11	Mitigation Measures.....	12
12	Artic Plan of Cooperation.....	13
13	Monitoring and Reporting.....	13
14	Suggested Means of Coordination.....	13

## Figures

2-1	Site Map.....	5
2-2	Plan View of the Project Action.....	5

## Tables

5-1	Original Authorized Incidental Take by Species.....	7
5-2	Requested Authorized Incidental Take by Species.....	7
5-3	Completed Construction Activities during IHA Year 1.....	8
5-4	Remaining Construction Activities with Timeline and Calculated Maximum Distances Corresponding to MMPA Thresholds for Underwater Sound from Non-Impulsive Noise (Vibratory Pile Driving/Extracting or Rotary Drilling) .....	9
5-5	Remaining Construction Activities with Timeline and Calculated Maximum Distances Corresponding to MMPA Thresholds for Underwater Sound from Impulsive Noise (Impact Pile Driving/DTH Mono-Hammer).....	11

## 1 Description of Activities

A detailed description of the specific activity or class of activities that can be expected to result in incidental taking of marine mammals.

### 1.1 Introduction

The National Oceanic and Atmospheric Administration (NOAA) Office of Marine Aviation Operations (OMAO) requests an Incidental Harassment Authorization (IHA) **renewal** from the National Marine Fisheries Service (NMFS) for the incidental taking of marine mammals during in-water construction activities to homeport four NOAA research vessels at Naval Base Newport, Newport, Rhode Island, from February 1, 2025 to January 31, 2026.

The activities to be conducted under the proposed Renewal IHA are identical to the activities analyzed under the initial IHA. The previous analyses, mitigation and monitoring requirements, and take estimates remain relevant.

### 1.2 Consultation History

On October 5, 2022, NMFS deemed the IHA application from the U.S. Navy on behalf of NOAA OMAO adequate and complete. On December 12, 2022, NMFS issued an IHA with effective dates from February 1, 2024 to January 31, 2025. Updates on construction activities, authorized takes, and a Protected Species Observer summary were provided to NMFS on October 9, 2024.

### 1.3 Background

NOAA is in the midst of establishing adequate pier, shore side, and support facilities for four NOAA research vessels in Coddington Cove at Naval Station Newport. Construction for this project did not begin until June 2024, and in-work work is projected to go through January 2026.

## 2 Dates, Duration, and Geographic Region

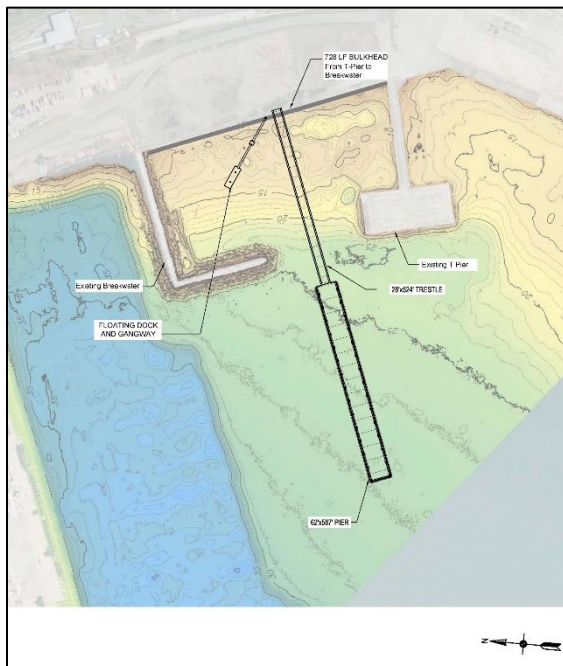
The date(s) and duration of such activity and the specific geographical region where it will occur.

NOAA proposes no changes to pile installation/removal methodologies or the study area. NOAA proposes a renewal of the authorization dates from February 1, 2025 to January 31, 2026.

**Figure 2-1 Site Map**



**Figure 2-2 Plan View of the Project Action**



### **3 Species and Numbers of Marine Mammals**

The species and numbers of marine mammals likely to be found within the activity area.

There are no changes to the species impacted by planned in-water construction activities within Naval Station Newport. Background for the two predominate species (Harbor seals [Phoca vitulina] and Gray seals [Halichoerus grypus atlantica] is presented in NOAA's October 2022 IHA request.

### **4 Affected Species Status and Distribution**

A description of the status, distribution, and seasonal distribution (when applicable) of the affected species or stocks of marine mammals likely to be affected by such activities.

There are no changes to the species impacted by planned in-water construction activities within Naval Station Newport. Background for the two predominate species (Harbor seals [Phoca vitulina] and Gray seals [Halichoerus grypus atlantica] is presented in NOAA's October 2022 IHA request.

### **5 Type of Incidental Taking Authorization Requested**

The type of incidental taking authorization that is being requested (i.e., takes by harassment only, takes by harassment, injury and/or death), and the method of incidental taking.

NOAA requests an IHA renewal for the incidental take permit of marine mammals by harassment during proposed vibratory pile driving and removal activities at Naval Station Newport. The Level A and Level B takes have been recalculated based on the remaining construction activities.

Of note, to date no Level A or Level B takes have occurred under this IHA. Only one sighting of marine mammals occurred during Year 1 work. One sighting of a group of ~5 unidentified dolphins occurred outside of the Level B mitigation zone.

Concurrent scenarios were analyzed in the original IHA application for the construction of the Pier and the Pier fender piles, gangway and floating dock. However, these construction activities will no longer have concurrent components during the proposed renewal time-period of February 1, 2025 to January 31, 2026.

Table 5-1 demonstrates the Level A and Level B takes authorized in the original IHA. For the remaining construction activities, NOAA requests an IHA renewal for the incidental taking of marine mammals listed in Table 5-2 for a period of one year from February 1, 2025 to January 31, 2026.

**Table 5-1 Original Authorized Incidental Take by Species**

<i>Species</i>	<i>Individual Activities</i>	
	<i>Level A (PTS onset)</i>	<i>Level B (Behavior)</i>
Atlantic white-sided dolphin	0	16
Short-beaked common dolphin	0	39
Harbor porpoise	2	40
Harbor seal	5	2,067
Gray seal	11	437
Harp seal	4	164
Hooded seal <sup>2</sup>	0	10
<b>Total</b>	<b>22</b>	<b>2,773</b>

**Table 5-2 Requested Authorized Incidental Take by Species for Year 2 of Activities**

<i>Species</i>	<i>Individual Activities</i>	
	<i>Level A (PTS onset)</i>	<i>Level B (Behavior)</i>
Atlantic white-sided dolphin	0	3
Short-beaked common dolphin	0	9
Harbor porpoise	0	10
Harbor seal	0	563
Gray seal	1	118
Harp seal	0	45
Hooded seal	0	1
<b>Total</b>	<b>1</b>	<b>749</b>

Tables 5-3, 5-4, and 5-5 detail the construction activities that were completed in the first authorization year, and the construction activities planned for the second year if the Renewal is approved. Year 1 activities included 191 production days, and Year 2 activities are anticipated to include 110 production days. All of the activities were approved in the original IHA, but with minimal changes that were approved by NMFS after discussion in October 2024. Under the IHA, this project was approved for trestle rotary drilling, for a total of 4 days of in-water work, and mono-hammer DTH drilling for bulkhead construction for a total of 12 days of in-water work. These actions were no longer required in Year 1, so there was a reduction of 16 production days. Unfortunately, 57 of the 30" steel pipe piles installed for the pier were installed incorrectly. These piles were cut off at the mudline, but 57 new 30" steel pipe piles needed to be installed correctly. The daily production rate for the 30" steel pipe piles was 4 piles per day, which equated to an additional 15 in-water production days for the 57 piles. This meant there ended up being one less day of production than originally anticipated. In addition there was a decrease 45 production days from what was originally planned for as a result of using a template that accommodates 12 instead of 4 piles.





**Table 5-3 Construction Activities Completed in Year 1 of the IHA**

<i><b>Facility</b></i>	<i><b>Pile Type</b></i>	<i><b>Pile Diameter (inch)</b></i>	<i><b>Number of Piles</b></i>	<i><b>Method of Pile Driving/Extraction</b></i>	<i><b>Daily Production Rate</b></i>	<i><b>Total Production Days</b></i>
Bulkhead construction (Combination Pipe/Z-pile)	Steel Pipe Pile	18.0	115	Vibratory / Impact	8 piles/day	15
	Steel Sheet pile Z26-700	18.0 deep	230 (115 pairs)	Vibratory	8 pair/day	15
	Template Steel Pipe Pile	16.0	60 (4 x 15 moves)	Vibratory Installation / Extraction	4 piles/day	30
Trestle (Bents 1-18)	Steel Pipe Pile	18.0	36	Vibratory / Impact	2 piles/day	18
	Template Steel Pipe pile	16.0	72 (4 x 18 moves)	Vibratory Installation / Extraction	4 piles/day	36
Trestle (Bent 19)	Steel Pipe Pile	30.0	2	Vibratory / Impact	2 piles/day	1
	Template Steel Pipe pile	16.0	4 (4 x 1 move)	Vibratory Installation / Extraction	4 piles/day	2
Pier	Steel Pipe Pile	30.0	177	Vibratory / Impact	4 piles/day	45
			12	Rotary Drilling <sup>(</sup>	1 hole/day	12
	Template Steel Pipe Pile	16.0	60 (4 x 15 moves)	Vibratory Installation / Extraction	4 piles/day	15
	Template Steel Pipe Pile	16.0	4 (4 x 1 moves)	Vibratory Installation / Extraction	4 piles/day	2

**Table 5-4 Remaining Construction Activities with Timeline and Calculated Maximum Distances Corresponding to MMPA Thresholds for Underwater Sound from Non-Impulsive Noise (Vibratory Pile Driving/Extracting or Rotary Drilling)**

Structure	Constructi on Period	Pile Size & Type	# of Piles	Activity	Tot al Pro duct ion Day s	Level A (PTS onset) Harassment			Level B (Behavioral) Harassment
						MF Cetacean	HF Cetacean	Phocid	All Marine Mammals
						Max Distance to 198 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassm ent Zone (sq km)	Max Distance to 173 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassm ent Zone (sq km)	Max Distance to 201 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassme nt Zone (sq km)	Maximum Distance 120 dB RMS SPL Threshold d(m)/ Area of Harassment Zone (sq km)
Abandoned guide piles along bulkhead	1/1/26 – 1/31/26	12-inch steel pipe	3	Vibratory Extract	1	0.3/0	5.3/0.000 044	2.2/0.000 008	2,514/1.26
Floating dock demolition (Timber Guide Piles)	12/1/25- 12/31/25	12-inch timber	4	Vibratory Extract	1	0.2/0	4/0.00002 5	1.7/0.0000 05	1,359/0.53
Fender Piles	8/13/25- 1/31/26	16-inch steel pipe templa te pile	96 (4x24 moves)	Vibratory Install/Ext raction	48	1.1/0.00 0004	18.7/0.00 11	7.7/0.000 19	6,310/8.53
	8/13/25- 1/31/26	16-inch steel pipe pile	201	Vibratory Install/Ext ract	48	1.1/0.00 0004	18.7/0.00 11	7.7/0.000 19	6,310/8.53
Gangway support piles (small boat floating dock)	6/27/25- 7/03/25	18-inch steel pipe	4	Vibratory/ Impact	2	0.7/0.00 0001	11.8/0.00 022	4.8/0.000 036	6,310/3.31
Small Boat Floating Dock	5/2/25- 6/25/25	36-inch Steel Casing /Shaft Guide Piles	2	Vibratory Install	2	5.2/0.00 0042	86.6/0.01 2	35.6/0.00 2	46,416/3.31

Structure	Construction Period	Pile Size & Type	# of Piles	Activity	Total Production Days	Level A (PTS onset) Harassment			Level B (Behavioral) Harassment
						MF Cetacean	HF Cetacean	Phocid	All Marine Mammals
						Max Distance to 198 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassment Zone (sq km)	Max Distance to 173 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassment Zone (sq km)	Max Distance to 201 dB SEL <sub>cum</sub> Threshold d(m)/ Area of Harassment Zone (sq km)	Maximum Distance 120 dB RMS SPL Threshold d(m)/ Area of Harassment Zone (sq km)
		with Rock Socket							
	5/2/25-6/25/25	16-inch steel pipe template piles	4 (4x 1 moves)	Vibratory Install/Extract	2	1.1/0.000002	18.7/0.00055	7.7/0.000093	6,310/3.31

**Table 5-5 Remaining Construction Activities with Timeline and Calculated Maximum Distances Corresponding to MMPA Thresholds for Underwater Sound from Impulsive Sound (Impact Pile driving and DTH Mono-Hammer)**

Structure	Construction Period	Pile Size and Type	# of Piles	Activity	Total Production Days	Level A (PTS onset) Harassment			Level B (Behavioral) Harassment
						MF Cetacean	HF Cetacean	Phocid	All Marine Mammals
						Maximum Distance to 185 dB SEL <sub>cum</sub> Threshold (m)/Area of Harassment Zone (sq km)	Maximum Distance to 155 dB SEL <sub>cum</sub> Threshold (m)/Area of Harassment Zone (sq km)	Maximum Distance to 185 dB SEL <sub>cum</sub> Threshold(m)/Area of Harassment Zone (sq km)	Maximum Distance 160 dB RMS SPL (120 dB DTH) Threshold (m)/Area of Harassment Zone (sq km)
Gangway support piles (small boat floating dock)	6/27/25-7/03/25	18-inch steel pipe	4	Impact Install	2	19.3/0.00058	644.8/0.17	289.7/0.049	631/0.16
Small Boat Floating Dock	5/2/25-6/25/25	36-inch Steel	2	Impact Install	2	35.5/0.002	1,189.5/0.45	534.4/0.12	3,415/2.14
	5/2/25-6/25/25	Casing/Shaft with Rock Socket (Guide Pile)	2	DTH Mono-Hammer	2	73/0.0084	2,444.5/1.21	1,098.2/0.42	13,594/3.31

## 6 Take Estimates for Marine Mammals

By age, sex, and reproductive condition (if possible), the number of marine mammals (by species) that may be taken by each type of taking identified in Chapter 5, and the number of times such takings by each type of taking are likely to occur.

NOAA proposes no changes to the previous IHA analysis framework, marine species noise criteria, pile driving noise description, propagation modeling, take description, and associated conclusions.

## **7 Anticipated Impact of the Activity**

The anticipated impact of the activity upon the species or stock of marine mammal.

There are no changes to NOAA's framework of assessment or resulting conclusions from the October 2022 IHA request.

## **8 Anticipated Impacts on Subsistence Uses**

The anticipated impact of the activity on the availability of the species or stock of marine mammals for subsistence uses.

Potential impacts resulting from the Proposed Action would be limited to individuals of marine mammal species and stocks located in marine waters at Newport, Rhode Island that are not target species for subsistence and would not take place in or near a traditional subsistence hunting area. Therefore, no impacts on the availability of species or stocks for subsistence use are foreseen.

## **9 Anticipated Impacts on Habitat**

The anticipated impact of the activity upon the habitat of the marine mammal populations, and the likelihood of restoration of the affected habitat.

There are no changes to NOAA's framework of assessment or resulting conclusions from the October 2022 IHA request.

## **10 Anticipated Effects of Habitat Impacts on Marine Mammals**

The anticipated impact of the loss or modification of the habitat on the marine mammal populations involved.

There are no changes to NOAA's framework of assessment or resulting conclusions from the October 2022 IHA request.

## **11 Mitigation Measures**

The availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks, their habitat, and their availability for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance.

NOAA proposes to retain all existing mitigation measures for this project.

## 12 Arctic Plan of Cooperation

Where the proposed activity would take place in or near a traditional Arctic subsistence hunting area and/or may affect the availability of a species or stock of marine mammal for Arctic subsistence uses, the applicant must submit either a "plan of cooperation" or information that identifies what measures have been taken and/or will be taken to minimize any adverse effects on the availability of marine mammals for subsistence uses.

The Proposed Action would not take place in or near a traditional Arctic subsistence hunting area, therefore NOAA is not required to complete a plan of cooperation.

## 13 Monitoring and Reporting

The availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks, their habitat, and their availability for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance.

NOAA proposes to keep all monitoring measures specified in the October 2022 IHA request and subsequent NMFS IHA.

## 14 Suggested Means of Coordination

Suggested means of learning of, encouraging, and coordinating research opportunities, plans, and activities relating to reducing incidental taking and evaluating its effects.

NOAA and the Navy fund extensive marine mammal research and monitoring studies within the Atlantic and Pacific Oceans. In an annual survey of Federally Funded Marine Mammal projects conducted by the Marine Mammal Commission, out of \$88.7M dollars invested in FY22 (the latest year available), the Navy accounted for \$20.6M or 23% of all funding and NOAA's NMFS accounted for \$41.0M or 46%.<sup>1</sup>

Within the Navy, there are three broad programs for Navy-wide marine species programs:

- Office of Naval Research Marine Mammals and Biology Program (basic research)  
<https://www.nre.navy.mil/organization/departments/code-32/division-322/marine-mammals-and-biology>
- Living Marine Resources Program (applied research)  
<https://exwc.navfac.navy.mil/Products-and-Services/Environmental-Security/LMR/>
- Navy Fleets and Systems Command Compliance Monitoring

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<sup>1</sup> U.S. Marine Mammal Commission. (2023). "Survey of Federally Funded Marine Mammal Research: FY 2022 Results Summary." Retrieved November 12, 2024, from <https://www.mmc.gov/grants-and-research-survey/survey-of-federally-funded-research/fy-2022-results-summary/>.

<https://www.navy-marinespeciesmonitoring.us/>

Additionally, local Navy shore installation also fund regional marine species monitoring supporting installation conservation efforts.