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

INCIDENTAL HARASSMENT AUTHORIZATION

The United States Coast Guard (USCG) and its designees are 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 effective for 1 year upon written notification from the Holder of the Authorization ("Holder") to NMFS, but not beginning later than 1 year from the date of issuance or extending beyond 2 years from the date of issuance.

2. This IHA authorizes take incidental to in-water construction and piling activities, as specified in the USCG's IHA application, associated with the Fast Response Cutter Homeporting Project in Sitka, Alaska. Hereafter (unless otherwise specified) the term "pile driving" is used to refer to both pile installation and pile removal.

3. General Conditions

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

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

   (c) The taking by 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 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 must ensure that construction supervisors and crews, the monitoring team, and relevant USCG staff are trained prior to the start of activities subject to

this IHA, so that responsibilities, communication procedures, monitoring protocols, and operational procedures are clearly understood. New personnel joining during the project must be trained prior to commencing work.

(e) The Holder also must abide by the reasonable and prudent measures and terms and conditions of the 2026, Biological Opinion and Incidental Take Statement issued by NMFS pursuant to section 7 of the Endangered Species Act.

4. Mitigation Requirements

(a) The Holder must employ PSOs and establish monitoring locations as described in section 5 of this IHA and the Marine Mammal Monitoring Plan (Monitoring Plan). The Holder must monitor the project area to the maximum extent possible based on the required number of PSOs, required monitoring locations, and environmental conditions.

(b) Monitoring must take place from 30 minutes prior to initiation of down-the-hole (DTH) and pile driving activity (*i.e.*, pre-start clearance monitoring) through 30 minutes post-completion of DTH and pile driving activity. If in-water work ceases for more than 30 minutes, the Holder must conduct pre-start monitoring of the Level B harassment and shutdown zones.

(c) Pre-start clearance monitoring must be conducted during periods of visibility sufficient for the lead PSO to determine that the shutdown zones indicated in Table 2 are clear of marine mammals. DTH and pile driving may commence following 30 minutes of observation when the determination is made that the shutdown zones are clear of marine mammals.

(d) If a marine mammal is observed entering or within the shutdown zones indicated in Table 2, DTH and pile driving activity must be delayed or halted. DTH and pile driving must be commenced or resumed as described in condition 4(e) of this IHA.

(e) If DTH or pile driving is delayed or halted due to the presence of a marine mammal, the activity may not commence or resume until either the animal has voluntarily exited and been visually confirmed beyond the shutdown zone indicated in Table 2 or 15 minutes have passed without re-detection of the animal.

(f) The Holder must use soft start techniques when impact pile driving. Soft start requires contractors to provide an initial set of three strikes at reduced energy,

followed by a 30-second waiting period, then two subsequent reduced-energy strike sets. A soft start must be implemented at the start of each day's impact pile driving and at any time following cessation of impact pile driving for a period of 30 minutes or longer.

(g) DTH and pile driving activity must be halted (as described in condition 4(d) of this IHA) upon observation 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, entering or within the Level A or Level B harassment zone (as shown in Table 2).

(h) The Holder, construction supervisors and crews, PSOs, and relevant USCG staff must avoid direct physical interaction with marine mammals during construction activity. If a marine mammal comes within 10 meters of such activity, operations must cease and vessels must reduce speed to the minimum level required to maintain steerage and safe working conditions, as necessary to avoid direct physical interaction.

5. Monitoring Requirements

(a) Marine mammal monitoring must be conducted in accordance with the conditions in this section and the Monitoring Plan and this IHA.

(b) Monitoring must be conducted by qualified, NMFS-approved PSOs, in accordance with the following conditions:

(i) PSOs must be independent of the activity contractor (for example, employed by a subcontractor) and have no other assigned tasks during monitoring periods.

(ii) At least one PSO must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization or Letter of Concurrence (LOC).

(iii) Other PSOs may substitute other relevant experience, education (degree in biological science or related field), or training for prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization or LOC. PSOs may also substitute Alaska native traditional knowledge for experience.

(iv) Where a team of three or more PSOs is required, a lead observer or monitoring coordinator must be designated. The lead observer must have prior experience performing the duties of a PSO during construction activity pursuant to a NMFS-issued incidental take authorization or LOC.

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

(c) The Holder must establish the following monitoring locations as described in the Monitoring Plan. For all DTH and pile driving activities, a minimum of one PSO must be assigned to the active DTH or pile driving location to monitor the shutdown zones. For all DTH and pile driving activities, at least two additional PSOs will be stationed at one or more monitoring locations that provide full views of the shutdown zones and as much of the monitoring zones as possible.

(d) PSOs must record all observations of marine mammals, regardless of distance from the pile being driven, as well as the additional data indicated in section 6 of this IHA.

6. Reporting

(a) The Holder must submit its draft report(s) on all monitoring conducted under this IHA within 90 calendar days of the completion of monitoring or 60 calendar days prior to the requested issuance of any subsequent IHA for construction activity at the same location, whichever comes first. 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.

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

(c) The marine mammal report must contain the informational elements described in the Monitoring Plan and, at minimum, must include:

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

(ii) Construction activities occurring during each daily observation period, including:

A. The number and type of piles that were driven and the method (*e.g.*, impact, vibratory, DTH);

B. Total duration of driving time for each pile (vibratory driving) and number of strikes for each pile (impact driving); and

C. For DTH, total duration of operation of drilling and hammering components.

(iii) PSO locations 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 observation of a marine mammal, the following information:

A. Name of PSO who sighted the animal(s) and PSO 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 location of each observed marine mammal relative to the pile being driven for each sighting;

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

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

G. Animal's closest point of approach and estimated time spent within the harassment zone;

H. 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 (*e.g.*, no response or changes in behavioral state such as ceasing feeding, changing direction, flushing, or breaching); and

I. Description of any actions implemented in response to the sighting (*e.g.*, delays, shutdown) and time and location of the action.

(vi) Number of marine mammals detected within the harassment zones, by species; and

(vii) Summary information about implementation of any mitigation (*e.g.*, shutdowns and delays), a description of specific actions that ensued, and resulting changes in behavior of the animal(s), if any.

(d) The Holder must submit all PSO data electronically in a format that can be queried such as a spreadsheet or database (*i.e.,* digital images of data sheets are not sufficient).

(e) 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 *ITP.clevenstine@noaa.gov*) and to the Alaska regional stranding network (877-925-7773) 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, (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.

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

Table 1 -- Authorized Incidental Take

Common name	Scientific name	Stock	Level A harassment	Level B harassment
Steller sea lion	*Eumetopias jubatus*	Western	2	8
Steller sea lion	*Eumetopias jubatus*	Eastern	102	340
Harbor seal	*Phoca vitulina*	Sitka/Chatham Strait	104	348
Killer whale	*Orcinus orca*	Eastern North Pacific Alaska Resident	0	106
Killer whale	*Orcinus orca*	Eastern North Pacific Gulf of Alaska, Aleutian Islands and Bering Sea Transient		
Killer whale	*Orcinus orca*	Eastern Northern Pacific Northern Resident		
Killer whale	*Orcinus orca*	West Coast Transient		
Harbor porpoise	*Phocoena phocoena*	Yakutat/Southeast Alaska Offshore Waters	35	41
Dall's porpoise	*Phocoenoides dalli*	Alaska	21	25
Humpback whale	*Megaptera novaeangliae*	Hawai'i	0	59
Humpback whale	*Megaptera novaeangliae*	Mexico-North Pacific	0	1
Gray whale	*Eschrichtius robustus*	Eastern North Pacific	0	31
Minke whale	*Balaenoptera acutorostrata*	Alaska	0	31

Note: Steller sea lion stock attribution: 97.8% Eastern DPS and 2.2% Western DPS. Humpback whale stock attribution: 98% Hawai'i and 2% Mexico-North Pacific.

Table 2 -- Shutdown and Harassment Zones

Pile size and material	Activity	Minimum shutdown zone (m) for Low-Frequency cetaceans	Minimum shutdown zone (m) for High-Frequency cetaceans	Minimum shutdown zone (m) for Very High-Frequency cetaceans	Minimum shutdown zone (m) for Phocids in Water	Minimum shutdown zone (m) for Otariids in Water	Level B harassment zone (m)
24-inch steel	Vibratory extraction of existing pile	20	10	20	30	10	7,360
14-inch timber	Vibratory extraction of existing pile	20	10	20	30	10	6,310
24-inch steel	Vibratory installation of template pile	15	10	15	20	10	7,360
24-inch steel	Vibratory extraction of template pile	15	10	15	20	10	7,360
24-inch steel	Vibratory installation of support pile	50	20	40	65	25	7,360
24-inch steel	Vibratory installation of dolphin pile	35	15	25	40	15	7,360
24-inch steel	Vibratory installation of guide pile	40	15	30	50	20	7,360
14- to 16-inch plastic	Vibratory installation of fender pile	35	15	30	45	15	7,360
24-inch steel	Impact installation of support pile	1,000	130	100	100	100	1,000 (VHF: 1,545*)
24-inch steel	Impact installation of dolphin pile	520	70	100	100	100	1,000
24-inch steel	Impact installation of guide pile	830	110	100	100	100	1,000 (VHF: 1,280*)
24-inch steel	DTH installation of support pile	1,255	160	100	100	100	13,600
24-inch steel	DTH installation of dolphin pile	1,035	135	100	100	100	13,600
24-inch steel	DTH installation of guide pile	1,255	160	100	100	100	13,600

Note: Distances (m) refer to the maximum radius of the Level A harassment and Level B harassment zones and are rounded. The actual zone may be truncated by landforms.

* For VHF cetaceans, the predicted Level A harassment zone is larger than the Level B harassment zone; therefore, the extent of the Level A harassment zone is the monitoring zone for VHF cetaceans during impact installation of piles.