

Summary of Results for the Incidental Harassment Authorization Consultation
Year 1
Waterfront Improvements Projects at Portsmouth Naval Shipyard, Kittery, Maine
September 29, 2016

Introduction

In response to new acoustic criteria finalized by the National Atmospheric and Oceanic Administration’s National Marine Fisheries Service (NMFS) on August 5, 2016, as well as comments submitted to NMFS by the Marine Mammal Commission (MMC), the Navy submitted a revised Addendum to the Incidental Harassment Authorization (IHA) application for the Waterfront Improvements Projects at Portsmouth Naval Shipyard on September 23, 2016. Follow on comments by NMFS and MMC resulted in the Navy agreeing to higher numbers of Level B (behavioral) and Level A (injurious) takes for grey and harbor seals as well as increased monitoring by marine mammal observers than proposed in the Navy’s IHA application addendum. For clarity, the results of the MMPA consultation for the first year of the preferred alternative, as documented in Appendix F of the Environmental Assessment for the Proposed Action, are summarized below.

Incidental Harassment Authorization Takes

Prior to the start of in-water construction of the preferred alternative, NMFS will issue to the Navy an IHA that authorizes Level B (behavioral) and Level A (injurious) takes for marine mammals that may potentially be impacted during the first year of construction under the preferred alternative. Total takes are summarized in the table below.

Table 1 – IHA Takes to be Authorized in the First Year of the Proposed Action

Species	Behavioral Disturbance	Injury
Harbor porpoise	150	10
Grey Seal	156	2
Harbor Seal	312	4
Hooded Seal	5	0
Harp Seal	5	0
Total	628	16

The Navy will submit additional IHA applications for each subsequent year of in-water construction that are expected to utilize the same methodology and proposed mitigations.

Mitigation and Monitoring

Marine mammal observers will be employed to monitor the Level B (behavioral) and Level A (injurious) zones of impact to monitor for marine mammals that may enter these zones. In accordance with NMFS guidelines, the observers will record and track all marine mammal sightings and takes, as well as initiate shutdown of in-water pile driving, pile extraction, or drilling activities if marine mammals are observed within or approaching a 75 meter radius shutdown zone during impact pile driving or a 55 radius meter shutdown zone during vibratory pile driving or drilling activities. Level B zones of impact will be monitored during two-thirds of the in-water pile driving/extraction and drilling periods, with Level A zones (including shutdown zones) monitored during all in-water pile driving/extraction and drilling periods. The Level A zone during impact pile driving is 336 meters for harbor porpoises and 151 meters for seals. The level A zone during vibratory pile driving/extraction and drilling has been extended to 55 meters for harbor porpoises and 23 meters for seals (both of which are within the shutdown zone).