



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
1011 East Tudor Road
Anchorage, Alaska 99503



In Reply Refer to:
FWS/R7/AFES/MMM

February 1, 2024

City of Gustavus
P.O. Box 1
Gustavus, Alaska 99826

Dear Stakeholder:

The U.S. Fish and Wildlife Service (Service) has published in the *Federal Register* (89 FR 4970, January 25, 2024) a proposed Incidental Harassment Authorization (IHA) under the Marine Mammal Protection Act of 1972 (MMPA). If finalized, this IHA would authorize the incidental take of small numbers of northern sea otters (*Enhydra lutris kenyoni*) from the Southwest Alaska stock. We are seeking public comment on this proposed IHA for a 30-day period ending on February 23, 2024. We have also drafted a National Environmental Policy Act Environmental Assessment (EA) that analyzes the effects on the human environment of issuing the IHA. The Service is interested in any comments you may have on this proposed IHA or the draft EA.

Under the MMPA, otherwise prohibited actions that may result in the incidental taking by harassment of small numbers of marine mammals may be authorized by the Service for a period of up to one year, provided certain findings are made. We received a request from Trident Seafoods Corporation for such an authorization, associated with their improvements and replacements to a dock facility at Kodiak, Alaska. If finalized, the IHA would authorize incidental harassment, including disturbance, to northern sea otters that could result from Trident Seafood Corporation's activities. However, no lethal take would be authorized under the proposed IHA.

The Service's proposed IHA was developed and based on our determinations that take from the activities will affect a small number of northern sea otters, will have a negligible impact on the Southwest Alaska stock of northern sea otters, and will not have an unmitigable adverse impact on the availability of northern sea otters for subsistence uses. In writing this draft IHA, we also identified mitigation measures that Trident Seafoods Corporation will be required to implement to ensure their work will have the least practicable adverse impact on northern sea otters and their habitat.

The proposed IHA, including our analysis of effects, draft EA, and the supporting documents provided by the applicant are now available for public review and comment. To view these documents or to provide the Service with comment, visit www.regulations.gov and search for

docket number: FWS-R7-ES-2023-0212. The Service will accept comments on this proposed authorization until February 23, 2024.

We will review all comments prior to making a final determination. Should you have questions, please feel free to contact me, via email at r7mmmregulatory@fws.gov or by phone at 1-800-362-5148.

Sincerely,

Charles S. Hamilton

Acting Field Office Supervisor,
Marine Mammals Management