

**REQUEST FOR LETTER OF AUTHORIZATION RENEWAL UNDER  
SECTION 101(a) (5) (A) OF THE MARINE MAMMAL PROTECTION ACT  
INCIDENTAL TO TRAINING OPERATIONS CONDUCTED WITHIN  
THE JACKSONVILLE RANGE COMPLEX**

**Submitted To:  
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**(U) 1. DESCRIPTION OF ACTIVITIES**

(U) Pursuant to the Marine Mammal Protection Act of 1972 (MMPA), this document is the annual renewal application to the National Marine Fisheries Service (NMFS) for a Letter of Authorization (LOA)<sup>1</sup> for incidental harassment of marine mammals from U.S. Navy (Navy) training and research activities within the Jacksonville (JAX) Range Complex.

(U) This LOA renewal is being sought to cover the annual period from June 2011 to June 2012 to cover the taking of marine mammals, as described by the MMPA, incidental to training and research within the JAX Range Complex. The LOA will not address activities designated for armed conflict or direct combat support operations, nor during periods of heightened national threat conditions, as determined by the President and Secretary of Defense or their duly designated alternatives or successors, as assisted by the Chairman of the Joint Chiefs of Staff.

(U) The table below shows the MMPA permit documentation applicable to the JAX Range Complex and NMFS’s authorization (**Table 1**). Information contained in these references provide a complete description of the background for the Navy’s request, overview of the JAX Range Complex, description of the specified activities, description of marine mammals in the area, discussion of potential effects or lack of effects of specified activities on marine mammals, mitigation, marine mammal monitoring, and associated reporting. The descriptions contained in these references have not changed, except as where noted in this application renewal.

**(U) Table 1. Timeline of key JAX Range Complex MMPA documents**

<b>Timeline Date</b>	<b>From</b>	<b>Event</b>	<b>Reference</b>
17 MAR 08	Navy	Letter Of Authorization Application (request for Incidental Harassment For JAX activities) received by NMFS Office of Protected Resources (subsequently revised on 10 April 2008)	DoN 2008a
10 APR 08	Navy	Revised Letter Of Authorization Application (request for Incidental Harassment For JAX activities) submitted via Federal Express to NMFS Office of Protected Resources	DoN 2008b
14 APR 08	NMFS	Notice of Receipt of Navy application published in the Federal Register (73 Fed. Reg. 20032): Taking of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Navy Training Operations Conducted within the Virginia Capes and Jacksonville Range Complexes	NMFS 2008a
7 NOV 2008	Navy	Addendum to Letter of Authorization Application submitted via email to NMFS Office of Protected Resources	DoN 2008c
17 DEC 08	NMFS	Proposed Rule published in Federal Register (73 Fed. Reg. 76578): Taking and Importing Marine Mammals; U.S. Navy Training in the Jacksonville Range Complex	NMFS 2008b
20 MAR 09	Navy	Final Jacksonville Range Complex Environmental Impact Statement/Overseas Environmental Impact Statement published	DoN 2009
5 JUN 09 -4 JUN 10	NMFS	Annual Letter of Authorization for taking marine mammals incidental to U.S Navy’s training on the JAX Range Complex issued 5 June 2009	NMFS 2009a
15 JUN 09	NMFS	Final Rule published in Federal Register (74 Fed. Reg. 28349): Taking and Importing Marine Mammals; U.S. Navy Training in the Jacksonville Range Complex	NMFS 2009b

<sup>1</sup> under Section 101 (a)(5)(A) of the MMPA

5 FEB 10	Navy	Letter Of Authorization Application (request for Incidental Harassment For JAX activities) received by NMFS Office of Protected Resources	DoN 2010
5 JUN 10 – 4 JUN 11	NMFS	Annual Letter of Authorization for taking marine mammals incidental to U.S Navy’s training on the Jacksonville Range Complex issued 3 June 2010	NMFS 2010

The following changes to the original authorization are requested for each year through the remainder of the 5-year MMPA authorization. All other training activities in the original authorization and not discussed below remain the same as described at 50 C.F.R. §218.10.(U) **A. Changes from Previous: MINEX (Mine Neutralization [20 lb NEW charges])**

(U) Within JAX, the Navy estimates a reduction in the number of MINEX 20 lb NEW charge training events.

*(U) MINEX (20 lb NEW charges) Authorization Change Request*

(U) In June 2009, NMFS authorized 12 events using 20 lb NEW charges per year for JAX based on the Navy’s preliminary estimate at the time of original Request for Letter of Authorizations submission (NMFS 2009a, 2009b). Given new information on planned Fleet MINEX training that was not previously available, the Navy requests a revised authorization for 10 MINEX events per year as listed in **Table 2**. The annual amount of reduction in potential marine mammal exposures from a decrease in MINEX training is discussed in Chapter 6.

**(U) B. Changes from Previous: MISSILEX (Air-to-Surface [Maverick])**

(U) Within JAX, the Navy estimates an increase in the number of Maverick MISSILEX training events.

*(U) MISSILEX (Maverick) Authorization Change Request*

(U) In June 2009, NMFS authorized 3 events using Maverick missiles per year for JAX based on the Navy’s preliminary estimate at the time of original Request for Letter of Authorizations submission (NMFS 2009a, 2009b). To accommodate an increased need for Maverick MISSILEX training based on changes to training requirements, the Navy requests a revised authorization of 10 events using Maverick missiles per year as listed in **Table 2**. The amount of additional potential marine mammal exposures from Maverick MISSILEX training is discussed in Chapter 6.

**(U) C. Changes from Previous: FIREX with IMPASS (5” Naval Gunfire)**

(U) Within JAX, the Navy requires an additional training location for FIREX with IMPASS training events.

*(U) FIREX with IMPASS Authorization Change Request*

(U) In June 2009, NMFS authorized 10 FIREX with IMPASS events per year for JAX within the BB, CC box based on the preliminary estimate available at the time of original Request for Letter of Authorizations submission (NMFS 2009a, 2009b). Given new information on planned Fleet FIREX with IMPASS training that was not previously available, the Navy requests a revised annual authorization for FIREX with IMPASS events to also occur in the new proposed FIREX with IMPASS training location as listed in **Table 2**. The Navy also requests a reduction in the number of events occurring at the BB, CC site. The total number of events from training at both locations remains the same (10 events). The amount of reduction in potential marine mammal exposures from the change in FIREX with IMPASS training location is discussed in Chapter 6.

**(U) Table 2. Comparison of changes for annual MINEX, MISSILEX, and FIREX with IMPASS use for JAX 2009-2013.**

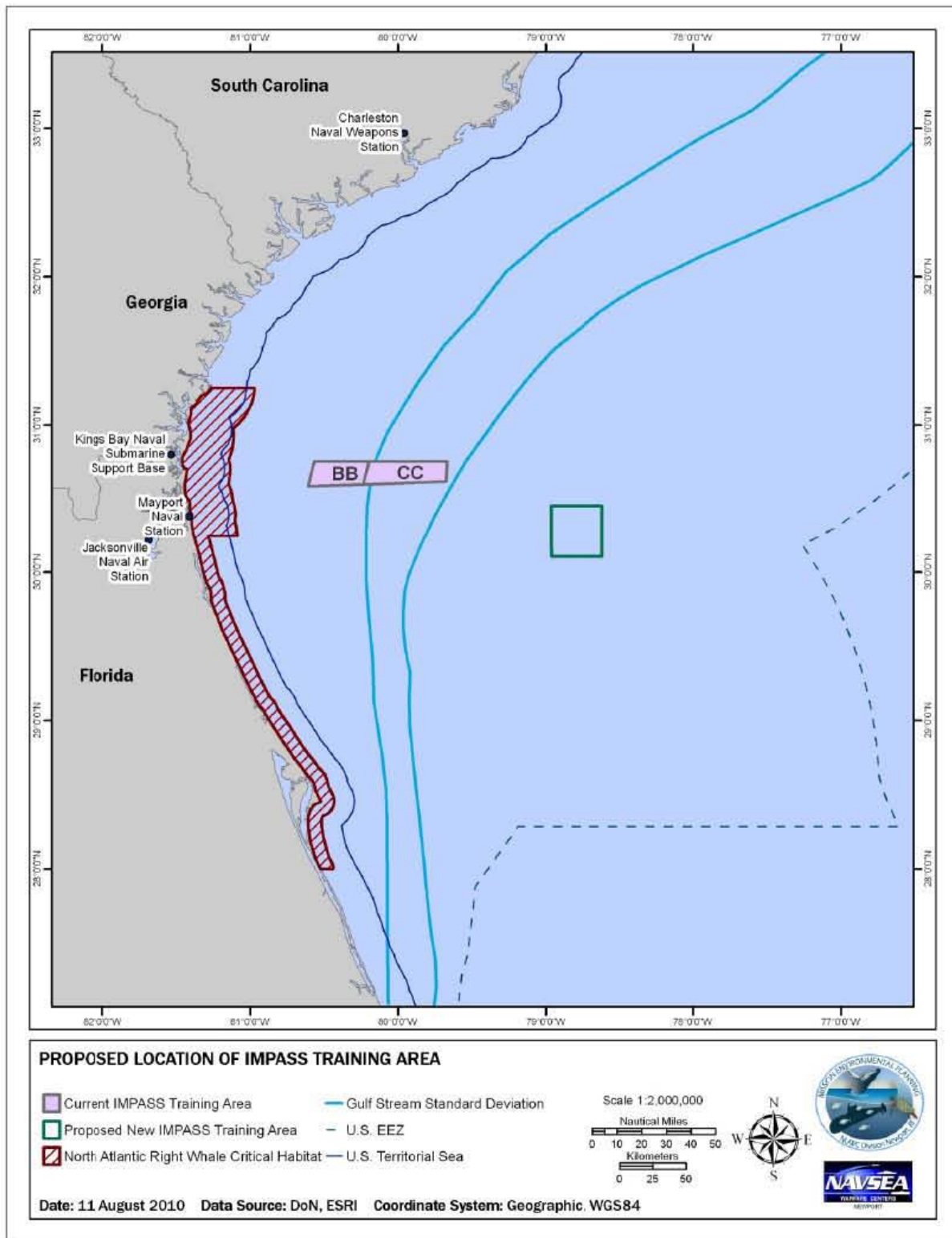
	<b>MINEX (20 lb NEW charges)</b>	<b>MISSILEX (Maverick Missiles)</b>	<b>FIREX w/IMPASS (in BB,CC box)</b>	<b>FIREX w/IMPASS (in new proposed location)</b>
<b>2009 Original Authorization</b>	<b>12</b>	<b>3</b>	<b>10</b>	<b>0</b>
<b>2010</b>	<b>12</b>	<b>3</b>	<b>10</b>	<b>0</b>
<b>2011</b>	<b>10</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>2012</b>	<b>10</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>2013</b>	<b>10</b>	<b>10</b>	<b>5</b>	<b>5</b>

**(U) 2. LOCATION AND DEFINITION OF EXPLOSION ACTIVITIES**

(U) There are no changes to Chapter 2 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010), except where noted below.

(U) Training using 5" naval gunfire during FIREX with IMPASS would continue to occur at the same locations in JAX where previous IMPASS training would typically occur. This location is the same FIREX with IMPASS training area described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010). In addition to this location, a new proposed location (the JAX Deepwater IMPASS Site) would also be used for FIREX with IMPASS training events as shown in **Figure 1**. The total annual number of events from training at both locations remains the same (10 events) and will be divided equally between the two locations for the remainder of the 5-year authorization.

**UNCLASSIFIED** U.S. Fleet Forces Command REQUEST FOR LETTER OF AUTHORIZATION RENEWAL UNDER SECTION 101(a) (5) (A) OF THE MARINE MAMMAL PROTECTION ACT INCIDENTAL TO TRAINING OPERATIONS CONDUCTED WITHIN THE JACKSONVILLE RANGE COMPLEX



(U) Figure 1. Current and proposed location of FIREX with IMPASS training events.

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**(U) 3. MARINE MAMMAL SPECIES AND NUMBERS OCCURRING IN THE JACKSONVILLE STUDY AREA**

(U) There are no changes to Chapter 3 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 4. AFFECTED SPECIES STATUS AND DISTRIBUTION**

(U) There are no changes to Chapter 4 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 5. TAKE AUTHORIZATION REQUESTED**

(U) There are no changes to Chapter 5 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy’s 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010). A summary of the requested takes is provided in **Table 3**.

**(U) Table 3. Number of each species authorized for taking in the original 2009 annual LOA and requested each year for the 2011-2013 annual LOAs.**

Species	Level B Harassment	Level A Harassment	Mortality
Minke whale	3	0	0
Atlantic Spotted dolphin	62	2	0
Beaked whales	20	0	0
Bottlenose dolphin	30	0	0
Clymene dolphin	20	0	0
Common dolphin	30	0	0
Dwarf or pygmy sperm whales	3	0	0
Pantropical spotted dolphin	20	0	0
Pilot whales	20	0	0
Risso’s dolphin	30	0	0
Striped dolphin	20	0	0

## **(U) 6. NUMBERS AND SPECIES TAKEN**

(U) There are no changes to Chapter 6 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010), except as where noted below.

(U) For the MINEX 20 lb NEW charge change from 12 events to 10 events authorized annually, changes to the JAX annual exposure summary (Table 5 in NMFS 15 June 2009 Final Rule<sup>2</sup>) include:

- A reduction of 0 Level B exposures;

(U) For the MISSILEX change from 3 Maverick missiles to 10 Maverick missiles authorized annually, additions to the JAX annual exposure summary (Table 5 in NMFS 15 June 2009 Final Rule<sup>3</sup>) include (**Table 4**):

- An additional 4 Level B exposures;

(U) For the FIREX with IMPASS change from 10 events in BB/CC box to 5 events in BB/CC box and 5 events in the new JAX Deepwater IMPASS Site authorized annually, reductions to the JAX annual exposure summary (Table 5 in NMFS 15 June 2009 Final Rule<sup>4</sup>) include (**Table 5**):

- A reduction of 15 Level B exposures;
- A reduction of 1 Level A exposures;

(U) A separate summary table (**Table 6**) depicts the exposures resulting from the requested changes for 2011-2013 and includes the MINEX, MISSILEX, and FIREX with IMPASS modifications. This table shows the net change in the number of estimated annual exposures for 2011-2013 as compared to the original authorization. While the annual exposures anticipated from the requested changes are less than the amount of take originally authorized, the amount of annual take requested in Chapter 5 remains the same as the original authorization.

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<sup>2</sup> See 74 Fed. Reg. 28349 page 28361 (NMFS 2009b)

<sup>3</sup> See 74 Fed. Reg. 28349 page 28361 (NMFS 2009b)

<sup>4</sup> See 74 Fed. Reg. 28349 page 28361 (NMFS 2009b)

**(U) Table 4. LOA renewal application change in potential annual exposures from increased MISSILEX (Maverick missiles) training applicable to those marine mammal species previously modeled to be impacted from MISSILEX.**

Species	JAX MISSILEX (Maverick) Training Only			
	Original Authorization 2009†		Estimated Annual Exposures For 2011-2013‡	
	Level B/Harassment	Level A/Harm	Level B/Harassment	Level A/Harm
Minke whale	0	0	0	0
Atlantic spotted dolphin	1	0	5	0
Beaked whale	0	0	0	0
Bottlenose dolphin	0	0	0	0
Clymene dolphin	0	0	0	0
Common dolphin	0	0	0	0
Dwarf or pygmy sperm whales	0	0	0	0
Pantropical spotted dolphin	0	0	0	0
Pilot whale	0	0	0	0
Risso's dolphin	0	0	0	0
Striped dolphin	0	0	0	0

† Based on 3 Maverick missiles as described in original authorization.

‡ Projected number of total annual exposures based on 10 Maverick missiles.

**(U) Table 5. LOA renewal application change in potential annual exposures from change to FIREX with IMPASS training applicable to those marine mammal species previously modeled to be impacted from FIREX with IMPASS.**

Species	JAX FIREX with IMPASS Training Only			
	Original Authorization 2009†		Estimated Annual Exposures For 2011-2013‡	
	Level B/Harassment	Level A/Harm	Level B/Harassment	Level A/Harm
Minke whale	0	0	0	0
Atlantic spotted dolphin	23	1	12	0
Beaked whale	0	0	0	0
Bottlenose dolphin	10	0	6	0
Clymene dolphin	1	0	0	0
Common dolphin	0	0	0	0
Dwarf or pygmy sperm whales	0	0	0	0
Pantropical spotted dolphin	1	0	2	0
Pilot whale	1	0	2	0
Risso's dolphin	3	0	2	0
Striped dolphin	0	0	0	0

† Based on 10 FIREX with IMPASS events in the BB/CC box as described in original authorization.

‡ Projected number of total annual exposures based on 10 FIREX with IMPASS events (5 in BB/CC box and 5 in proposed JAX Deepwater IMPASS Site).

**(U) Table 6. Change in potential annual exposures to marine mammal species including change in MINEX (20 lb NEW charges), MISSILEX, and FIREX with IMPASS authorization for 2011-2013.**

Species	JAX Total Exposures					
	Original Authorization 2009†		Estimated Annual Exposures For 2011-2013‡		Change Between 2009 Original Authorization and Estimated Annual Exposures	
	Level B/ Harassment	Level A/ Harm	Level B/ Harassment	Level A/ Harm	Level B/ Harassment	Level A/ Harm
Minke whale	3	0	0	0	-3	0
Atlantic spotted dolphin	62	2	54	1	-8	-1
Beaked whale	20	0	0	0	-20	0
Bottlenose dolphin	30	0	19	0	-11	0
Clymene dolphin	20	0	2	0	-18	0
Common dolphin	30	0	0	0	-30	0
Dwarf or pygmy sperm whales	3	0	0	0	-3	0
Pantropical spotted dolphin	20	0	4	0	-16	0
Pilot whale	20	0	2	0	-18	0
Risso's dolphin	30	0	2	0	-18	0
Striped dolphin	20	0	0	0	-20	0

† Based on (12) 20lb NEW charges, 70 Hellfire missiles, 3 Maverick missiles, 10 FIREX with IMPASS events (all in BB/CC), and 80 anti-swimmer grenades as described in original authorization.

‡ Projected number of total annual exposures based on (10) 20lb NEW charges, 70 Hellfire missiles, 10 Maverick missiles, 10 FIREX with IMPASS events (5 in BB/CC and 5 in new JAX Deepwater IMPASS Site), and 80 anti-swimmer grenades.

**(U) 7. IMPACTS TO MARINE MAMMAL SPECIES OR STOCKS**

(U) There are no changes to Chapter 7 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).



**(U) 8. IMPACTS ON SUBSISTENCE USE**

(U) There are no changes to Chapter 8 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 9. IMPACTS TO MARINE MAMMAL HABITAT AND RESTORATION LIKELIHOOD**

(U) There are no changes to Chapter 9 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 10. IMPACTS TO MARINE MAMMALS FROM LOSS OR MODIFICATION OF HABITAT**

(U) There are no changes to Chapter 10 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 11. MITIGATION MEASURES**

(U) There are no changes to Chapter 11 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010), except as where noted below.

(U) To allow training requirements to be satisfied during North Atlantic right whale calving season, the FIREX with IMPASS mitigations identified in the 2010 LOA are revised as follows:

Firing Exercise (FIREX) Using the Integrated Maritime Portable Acoustic Scoring System (IMPASS) (5-in Explosive Rounds):

(A) This activity shall only occur in Areas BB and CC and the JAX Deepwater IMPASS Site, as specified in the Navy's LOA application, in the JAX Range Complex.

(B) During North Atlantic right whale calving season no explosive ordnance shall be used in Areas BB and CC.

(C) Pre-exercise monitoring of the target area shall be conducted with "Big Eyes" prior to the event, during deployment of the IMPASS sonobuoy array, and during return to the firing position. Ships shall maintain a lookout dedicated to visually searching for marine mammals 180° along the ship track line and 360° at each buoy drop-off location.

(D) "Big Eyes" on the ship shall be used to monitor a 600 yard (548 m) buffer zone for marine mammals during naval-gunfire events.

(E) Ships shall not fire on the target if any marine mammals are detected within or approaching the 600 yd (548 m) buffer zone until the area is cleared. If marine mammals are present, operations shall be suspended. Visual observation shall occur for approximately 45 minutes, or until the animal has been observed to have cleared the area and is heading away from the buffer zone.

(F) Post-exercise monitoring of the entire target area shall take place with "Big Eyes" and the naked eye during the retrieval of the IMPASS sonobuoy array following each firing exercise.

(G) FIREX with IMPASS shall take place during daylight hours only.

(H) FIREX with IMPASS shall only be used in Beaufort Sea State three (3) or less.

(I) The visibility must be such that the fall of shot is visible from the firing ship during the exercise.

(J) No firing shall occur if marine mammals are detected within 70 yards (64 m) of the vessel.

**(U) 12. MINIMIZATION OF ADVERSE EFFECTS ON SUBSISTENCE USE**

(U) There are no changes to Chapter 12 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 13. MONITORING AND REPORTING MEASURES**

(U) There are no changes to Chapter 13 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010), except as where noted below.

(U) For 2011 and subsequent years, the Navy requests the same monitoring measures included in the 2010 LOA. The 2010 LOA included additional language in section 7(b)(i)(A) of the LOA to allow missed survey requirements to roll into following years. Section 7(b)(i)(A) as modified in the 2010 LOA is provided below.

(A) The Holder of this Authorization shall visually survey a minimum of 2 explosive events per year, one of which shall be a multiple detonation event. One of the vessel or aerial surveys should involve professionally trained marine mammal observers (MMOs). If it is impossible to conduct the required surveys due to lack of training exercises, the missed annual survey requirement shall roll into the subsequent year to ensure that the appropriate number of surveys occurs over the 5-year period of effectiveness of 50 C.F.R. Part 218, Subpart B.

**(U) 14. RESEARCH EFFORTS**

(U) There are no changes to Chapter 14 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010).

**(U) 15. LIST OF PREPARERS**

(U) There are no changes to Chapter 15 as described under NMFS June 2009 Final Rule (NMFS 2009b), Navy's 2010 Request for Letter of Authorization (DoN 2010), and NMFS subsequent 2010 Letter of Authorization (NMFS 2010), except where noted below.

(U) This Letter of Authorization Renewal Application was prepared for the Department of the Navy by Naval Facilities Engineering Command (NAVFAC) Atlantic. A list of key preparation and review personnel is included:

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**(U) 16. LITERATURE CITED**

(U) There are no changes to Chapter 16 as described under the Navy's original April 2008 Request for Letter of Authorization (as amended by Navy's November 2008 Application Addendum), and NMFS' June 2009 Final Rule.

(U) DoN. 2008a. Request for Letter of Authorization Under Section 101(a) (5) (A) of the Marine Mammal Protection Act Incidental to Navy Training Operations Conducted Within the Jacksonville Range Complex. March 17, 2008

(U) DoN. 2008b. Revised Request for Letter of Authorization Under Section 101(a) (5) (A) of the Marine Mammal Protection Act Incidental to Navy Training Operations Conducted Within the Jacksonville Range Complex. April 10, 2008

(U) NMFS. 2008. Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Navy Training Operations Conducted within the Virginia Capes and Jacksonville Range Complexes; Notice of Receipt. April 18, 2008. 73 Fed. Reg. 20032

(U) DoN. 2008c. Addendum to the Request for Letter of Authorization Under Section 101(a) (5) (A) of the Marine Mammal Protection Act Incidental to Navy Training Operations Conducted Within the JAX Range Complex. November 7, 2008

(U) NMFS. 2008b. Taking and Importing Marine Mammals; U.S. Navy Training in the Jacksonville Range Complex; Proposed Rule. December 12, 2008. 73 Fed. Reg. 75631

(U) DoN. 2009. Jacksonville Range Complex Final Environmental Impact Statement\Overseas Environmental Impact Statement-March 2009. Department of the Navy.

(U) NMFS. 2009a. Annual Letter of Authorization for taking of marine mammals incidental to U.S. Navy training activities conducted in the JAX Range Complex. June 5, 2009

(U) NMFS. 2009b. Taking and Importing Marine Mammals; U.S. Navy Training in the Jacksonville Range Complex; Final Rule. June 15, 2009. 74 Fed. Reg. 28328

(U) DoN. 2010. Request for Letter of Authorization Renewal Under Section 101(a) (5) (A) of the Marine Mammal Protection Act Incidental to Navy Training Operations Conducted Within the JAX Range Complex. January 28, 2010

(U) NMFS. 2010. Annual Letter of Authorization for taking of marine mammals incidental to U.S. Navy training activities conducted in the JAX Range Complex. June 3, 2010