



Letter of Authorization Hawaii-California Training and Testing Study Area Army Training

The Commander, U.S. Army Pacific, Fort Shafter, HI 96858-5100 and persons operating under their authorities (*i.e.*, U.S. Army (Army)), are authorized to take marine mammals incidental to Army training activities, respectively, conducted in the Hawaii-California Training and Testing (HCTT) Study Area (Figure 1), subject to the provisions of the Marine Mammal Protection Act (16 U.S.C. 1361 *et seq.*; MMPA) of 1972, as amended, and the applicable regulations (see 50 CFR §§ 218.80 – 218.89 (“the regulations”)), provided they are in compliance with all terms, conditions, and requirements described herein.

A copy of this Letter of Authorization (LOA) or a document containing the equivalent requirements specified in this Authorization and the regulations, must be in the possession of the holder of this LOA, or his/her designee, in order to take marine mammals under the authority of this LOA while conducting the specified activities.

1. Effective Dates

This LOA is effective for the period of December 21, 2025, through December 20, 2032.

2. Geographic Region

The geographic region is the HCTT Study Area (Figure 1). The HCTT Study Area includes areas in the north-central Pacific Ocean, from California west to Hawaii and the International Date Line, and including the Hawaii Range Complex (HRC) and Temporary Operating Area (TOA), Southern California (SOCAL) Range Complex, Point Mugu Sea Range (PMSR), Silver Strand Training Complex, areas along the Southern California coastline from approximately Dana Point to Port Hueneme, and the Northern California (NOCAL) Range Complex. Also included in the HCTT Study Area are Navy pierside locations in Hawaii and Southern California, Pearl Harbor, San Diego Bay, and the transit corridor on the high seas where training and testing may occur.

3. Specified Activities

This Authorization is valid for the training activities identified in 1-10 of the September 16, 2024 HCTT Training and Testing LOA application that include use of explosives in the HCTT Study Area. These activities fall under the land-based launches warfare area.

4. Permissible Methods of Taking

Army may incidentally, but not intentionally, take marine mammals within the geographic region in the course of conducting the specified activities described in Section 3 of this LOA, provided Army



is in complete compliance with all terms, conditions, and requirements described herein. The incidental take of marine mammals is limited to the species and stocks listed in this condition (see below) by the indicated method of take and number of takes.

- (a) Incidental take by Level A and Level B harassment from training activities is limited to the species and stocks, indicated method, and number of takes shown in Table 1.

Table 1. Authorized Incidental Take by Level A and Level B Harassment, by Species and Stock, from All Training Activities.

Species	Stock	Maximum annual Level B harassment	Maximum annual Level A harassment	7-year total Level B harassment	7-year total Level A harassment
Bryde’s Whale	Hawaii	2	0	3	0
Humpback Whale	Hawaii	4	0	22	0
Minke Whale	Hawaii	1	0	3	0
Dwarf Sperm Whale	Hawaii	97	12	677	84
Pygmy Sperm Whale	Hawaii	108	15	755	101
Blainville’s Beaked Whale	Hawaii	1	0	1	0
Goose-Beaked Whale	Hawaii	2	0	6	0
Longman’s Beaked Whale	Hawaii	2	0	3	0
Melon-Headed Whale	Hawaiian Islands	2	1	8	1
Melon-Headed Whale	Kohala Resident (Hawaii)	2	0	7	0
Pygmy Killer Whale	Hawaii	1	0	3	0
Short-Finned Pilot Whale	Hawaii	3	2	15	3
Bottlenose Dolphin	Hawaii Pelagic	3	1	14	1
Fraser’s Dolphin	Hawaii	5	2	27	6
Pantropical Spotted Dolphin	Maui Nui	1	0	1	0
Pantropical Spotted Dolphin	Hawaii Pelagic	3	2	14	2
Risso’s Dolphin	Hawaii	0	1	0	1
Rough-Toothed Dolphin	Hawaii	5	2	31	2
Striped Dolphin	Hawaii Pelagic	3	2	17	2

Hawaiian Monk Seal	Hawaii	281 ^a	0	1,963	0
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^aOf the 3 total artillery events and 20 total missile events evaluated in promulgation of the regulations, Army will conduct 2 artillery events and 16 missile events. As such, of the 360 takes by Level B harassment of Hawaiian monk seal authorized annually for missile and artillery events among all Action Proponents (Navy, U.S. Coast Guard, and U.S. Army, as defined in 50 CFR §§ 218.70), 280 takes are authorized to the Army.

5. Prohibitions

Except for incidental take described under section 4 (Permissible Methods of Taking), it is unlawful for any person to do the following in connection with the activities described herein:

- (a) Violate, or fail to comply with, the terms, conditions, and requirements of this LOA or the regulations;
- (b) Take any marine mammal not specified in Table 1.
- (c) Take any marine mammal specified in Table 1 in any manner other than as specified in section 4 (Permissible Methods of Taking) or number greater than those specified in Table 1; or
- (d) Take a marine mammal specified in Table 1 after NMFS determines such taking results in more than a negligible impact on the species or stock.

6. Mitigation Requirements

When conducting the specified training activities in the geographic region, Army must implement the following mitigation measures:

- (a) Environmental awareness and education

Army personnel (including civilian personnel) involved in mitigation and training activity reporting under the specified activities will complete one or more modules of the U.S. Navy Afloat Environmental Compliance Training Series or Army equivalent, as identified in their career path training plan. Modules include: Introduction to the U.S. Navy Afloat Environmental Compliance Training Series, Marine Species Awareness Training; U.S. Navy Protective Measures Assessment Protocol; and Marine Mammal Incident Reporting.

- (b) Activity-Based Mitigation

Activity-based mitigation is mitigation that the Army must implement whenever and wherever an applicable military readiness activity takes place within the HCTT Study Area.

- i. Activity-Based Mitigation for Explosive Stressors

Table 2 describes required activity-based mitigation for explosive stressors. This mitigation does not apply to explosives:

- Deployed by aircraft operating at high altitudes (*i.e.*, altitudes at which marine mammals on the surface cannot be distinguished);
- Deployed against aerial targets;
- During shore-launched missile or rocket events;

- Used at or below the *de minimis* threshold (≤ 0.1 lb (0.05 kg) net explosive weight (NEW)).

Table 2. Mitigation for Explosive Gunnery.

Activity or Stressor	<ul style="list-style-type: none"> • Surface-to-surface large-caliber ordnance (Shore-to-Surface Artillery Exercise)
Mitigation Zones and Requirements	<ul style="list-style-type: none"> • Army personnel must cease surface-to-surface large-caliber use if a marine mammal is sighted within 1,000 yd (914.4 m) of the intended impact location.
Lookout Requirements	<ul style="list-style-type: none"> • One Lookout on shore or in an aircraft.
Mitigation Zone Observation	<ul style="list-style-type: none"> • Army personnel must observe the applicable mitigation zone for marine mammals and floating vegetation immediately prior to the initial start of gun firing (e.g., while preparing to fire). • Army personnel must observe the applicable mitigation zone for marine mammals during gunnery fire. • If a marine mammal is visibly injured or killed as a result of detonation, use of explosives in the event shall be suspended immediately and established incident reporting procedures shall be followed. • After the event, when practical, Army personnel must observe the detonation vicinity for injured or dead marine mammals. If any injured or dead marine mammals are observed, Army personnel must follow established incident reporting procedures.
Commencement/Recommencement Conditions	<ul style="list-style-type: none"> • Army personnel must ensure one of the commencement or recommencement conditions in measure 6(b)(v) of this LOA is met prior to the initial start of the activity (by delaying the start) or during the activity (by not recommencing surface-to-surface large-caliber explosive gunnery). The wait period for this activity is 30 minutes.

ii. Commencement or Recommencement Conditions

Army must not commence or recommence an activity after a marine mammal is observed within a relevant mitigation zone until one of the following conditions has been met:

- A Lookout observes the animal exiting the mitigation zone;
- A Lookout concludes that the animal has exited the mitigation zone based on its observed course, speed, and movement relative to the mitigation zone; or
- A Lookout affirms the mitigation zone has been clear from additional sightings for the activity-specific wait period.

(c) Geographic Mitigation Areas

Geographic mitigation is mitigation that the Army must implement whenever an applicable military readiness activity takes place within the designated areas in Figure 2. Mitigation areas within the California Study Area identified in the regulations do not include restrictions

applicable to Army training activities. The Hawaii Humpback Whale Special Reporting Mitigation Area in Figure 2 does not include restrictions applicable to Army training activities.

Should national security require the Army to exceed a requirement(s) in measure (6)(c)(i) through measure (6)(c)(x), Army personnel must provide NMFS with advance notification and include the information (*e.g.*, sonar hours, explosives usage, or restricted area use) in its annual activity reports submitted to NMFS.

i. Hawaii Island Marine Mammal Mitigation Area

A. The Army must not detonate in-water explosives (including underwater explosives and explosives deployed against surface targets) within the mitigation area.

ii. Hawaii 4-Islands Marine Mammal Mitigation Area

A. The Army must not detonate in-water explosives (including underwater explosives and explosives deployed against surface targets) within the mitigation area (year-round).

iii. Hawaii Humpback Whale Awareness Notification Mitigation Area

A. The Navy will broadcast awareness messages to alert applicable assets (and their Lookouts) transiting and training or testing in the Hawaii Range Complex to the possible presence of concentrations of humpback whales from November 1 through May 31. Army must ensure applicable personnel (including Lookouts) receive these alerts.

B. Lookouts must use that knowledge to help inform their visual observations during military readiness activities that involve in-water explosives (including underwater explosives and explosives deployed against surface targets) or the deployment of non-explosive ordnance against surface targets in the mitigation area.

(d) Cetacean live stranding

In the event of a cetacean live stranding (or near-shore atypical milling) event within the HCTT Study Area or within 50 km (27 nmi) of the boundary of the HCTT Study Area, where the NMFS Stranding Network is engaged in herding or other interventions to return animals to the water, NMFS OPR will advise the Army of the need to implement shutdown procedures for all explosive devices within 50 km of the stranding. Following this initial shutdown, NMFS will communicate with the Army to determine whether circumstances support modification of the shutdown zone. The Army may decline to implement all or part of the shutdown if the holder of the LOA, or his/her designee, determines that it is necessary for national security.

Shutdown procedures for live stranding or milling cetaceans include the following:

- i. If at any time, the marine mammal(s) die or are euthanized, or if herding/intervention efforts are stopped, NMFS will immediately advise that the shutdown around the animals' location is no longer needed;
- ii. Otherwise, shutdown procedures will remain in effect until NMFS determines and advises that all live animals involved have left the area (either of their own volition or following an intervention); and
- iii. If further observations of the marine mammals indicate the potential for re-stranding, additional coordination will be required to determine what measures are necessary to minimize that likelihood (*e.g.*, extending the shutdown or moving operations farther away) and to implement those measures as appropriate.

7. Monitoring and Reporting

When conducting the specified activities, Army must implement the following monitoring and reporting requirements.

All reports must be submitted to the Director, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring MD 20910 via email to PR.ITP.MonitoringReports@noaa.gov and ITP.davis@noaa.gov.

(a) Notification of Take

If the Army reasonably believes that the specified activities resulted in the mortality or serious injury of any marine mammals, or in any Level A harassment or Level B harassment of marine mammals not identified Table 1, then Army shall notify NMFS immediately or as soon as operational security considerations allow.

(b) Monitoring and reporting under the LOAs

The Army must conduct all monitoring and reporting required under the LOAs, including abiding by the HCTT Study Area monitoring program. Details on program goals, objectives, project selection process, and current projects are available at www.navy-marinespeciesmonitoring.us.

(c) Notification of injured, live stranded, or dead marine mammals

The Army must abide by the Notification and Reporting Plan, attached, which sets out notification, reporting, and other requirements when dead, injured, or live stranded marine mammals are detected.

(d) Changes in Lookout Policies

The Army must report changes in its policies regarding the number of required Lookouts to NMFS as soon as practicable after a change is made.

(e) Annual HCTT Study Area marine species monitoring report

The Navy, on behalf of all the HCTT Action Proponents (Navy, U.S. Coast Guard, and U.S. Army, as defined in 50 CFR §§ 218.70) will submit an annual HCTT Study Area marine species monitoring report describing the implementation and results from the previous calendar year. Data collection methods will be standardized across range complexes and the HCTT Study Area to allow for comparison in different geographic locations. The draft report must be submitted to the Director, Office of Protected Resources, NMFS, annually. NMFS will submit comments or questions on the report, if any, within 3 months of receipt. The report will be considered final after the Action Proponents have addressed NMFS' comments, or 3 months after submittal of the draft if NMFS does not provide comments on the draft report. The report must describe progress of knowledge made with respect to intermediate scientific objectives within the HCTT Study Area associated with the Integrated Comprehensive Monitoring Program (ICMP). Similar study questions must be treated together so that progress on each topic can be summarized across all Navy ranges. The report need not include analyses and content that do not provide direct assessment of cumulative progress on the monitoring plan study questions.

(f) Quick look reports

In the event that the sound levels analyzed in promulgation of the regulations were exceeded within a given reporting year, the Army must submit a preliminary report(s) detailing the exceedance within 21 days after the anniversary date of issuance of this LOA.

(g) Annual HCTT Training Reports

Regardless of whether analyzed sound levels were exceeded, the Army must submit a detailed report (HCTT Annual Training Exercise Report) to the Director, Office of Protected Resources, NMFS annually within 3 months of the one-year anniversary of the date of the issuance of the LOA. NMFS will submit comments or questions on the report, if any, within 1 month of receipt. The report will be considered final after the Army has addressed NMFS' comments, or 1 month after submittal of the drafts if NMFS does not provide comments on the draft report. The annual report must contain the total annual number of each type of explosive exercises and total annual expended/detonated rounds (missiles, bombs, sonobuoys, *etc.*) for each explosive bin). The annual report must also contain cumulative explosive use quantity from previous years' reports through the current year. Additionally, if there were any changes to the sound source amount analyzed in the reporting year, or cumulatively, the report would include a discussion of why the change was made and include analysis to support how the change did or did not affect the analysis in the 2025 HCTT EIS/OEIS and MMPA final rule. The annual report must also include the details regarding specific requirements listed in measure (7)(g)(iii) of this LOA. The analysis in the detailed report must be based on the accumulation of data from the current year's report and data collected from previous annual reports. The final annual/close-out report at the conclusion of the authorization period (year 7) will also serve as the comprehensive close-out report and provide the annual totals for each sound source bin with a comparison to the annual amount analyzed and the 7-year total for each sound source bin with a comparison to the 7-year amount analyzed. The HCTT Annual Training Report must include the specific information described herein.

i. Summary of sources used

This section of the report must include the following information summarized from the analyzed sound sources used in all training events:

- A. Total annual expended/detonated ordnance (missiles, bombs, sonobuoys, *etc.*) for each explosive bin.
- ii. Special reporting for geographic mitigation areas

This section of the report must contain the following information for activities conducted in geographic mitigation areas in the HCTT Study Area:

- A. National security requirement

If the Army evokes the national security requirement described in measure (6)(c) of this LOA, Army personnel must include information about the event in its Annual HCTT Training Report.

(h) Communication plan

The Army and NMFS shall develop a communication plan that will include all of the communication protocols (phone trees, *etc.*) and associated contact information required for NMFS and the Army to carry out the necessary expeditious communication required in the event of a stranding or vessel strike.

8. Modifications to Letter of Authorization

(a) This LOA shall be modified, upon request by Army, provided that:

- i. The specified activities and mitigation, monitoring, and reporting measures, as well as the anticipated impacts, are the same as those described and analyzed for the regulations (excluding changes made pursuant to the adaptive management provision in measure (8)(c)), and
- ii. NMFS determines that the mitigation, monitoring, and reporting measures required by the previous LOA were implemented.

(b) For LOA modification requests by Army that include changes to the activity or the mitigation, monitoring, or reporting measures (excluding changes made pursuant to the adaptive management provision in measure (8)(c)) that do not change the findings made for the regulations or result in no more than a minor change in the total estimated number of takes (or distribution by species or years), NMFS may publish a notice of proposed modified LOA in the *Federal Register*, including the associated analysis of the change, and solicit public comment before issuing the LOA.

(c) Adaptive management

After consulting with the Army regarding the practicability of the modifications, NMFS may modify (including adding or removing measures) the existing mitigation, monitoring, or reporting measures if doing so creates a reasonable likelihood of more effectively

accomplishing the goals of the mitigation and monitoring.

- i. Possible sources of data that could contribute to the decision to modify the mitigation, monitoring, or reporting measures in an LOA include:
 - A. Results from the Army's monitoring from the previous year(s);
 - B. Results from other marine mammal and/or sound research or studies; or
 - C. Any information that reveals marine mammals may have been taken in a manner, extent, or number not authorized by the regulations and this LOA.
- ii. If, through adaptive management, the modifications to the mitigation, monitoring, or reporting measures are substantial, NMFS will publish a notice of planned LOA in the *Federal Register* and solicit public comment.

(d) Emergencies

If NMFS determines that an emergency exists that poses a significant risk to the well-being of the species or stocks of marine mammals specified in section 4 (Permissible Methods of Taking), an LOA may be modified without prior notification or opportunity for public comment. Notification would be published in the *Federal Register* within 30 days of the action.

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

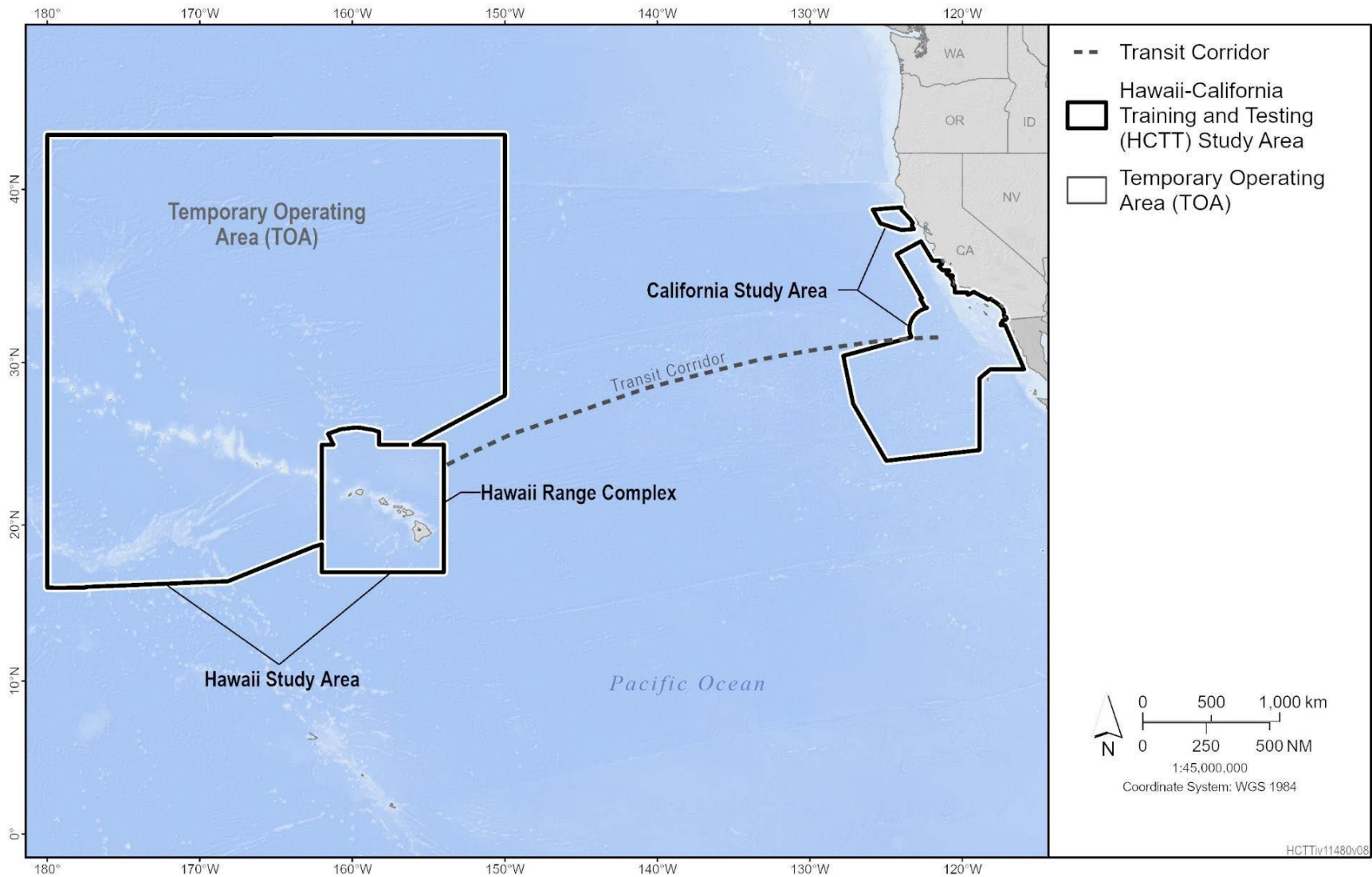


Figure 1. HCTT Study Area.

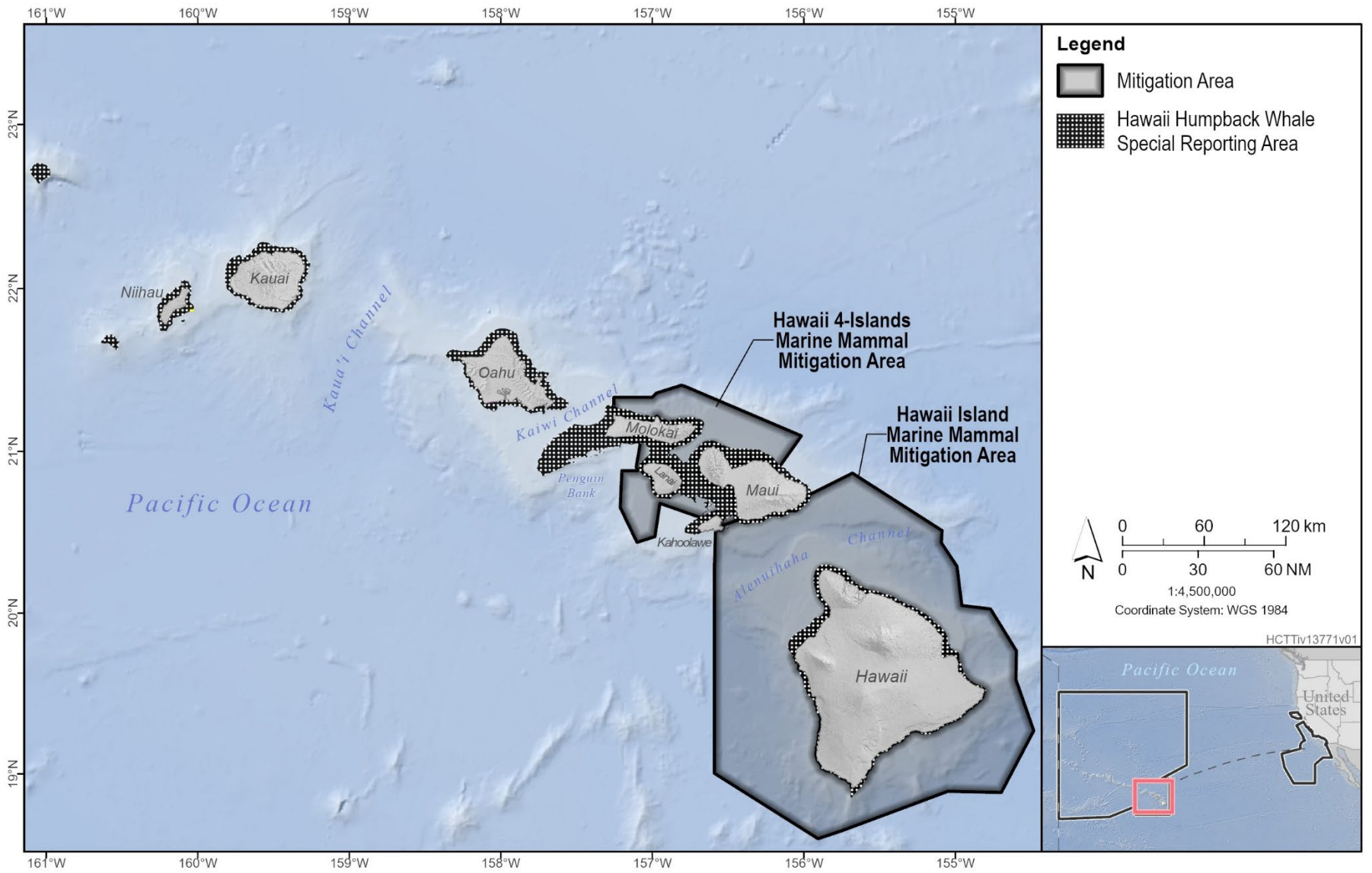


Figure 2. Geographic Mitigation Areas for Marine Mammals in the Hawaii Study Area.

NOTIFICATION AND REPORTING PLAN

PHASE IV MILITARY READINESS ACTIVITIES

BACKGROUND

Marine Mammal Protection Act (MMPA) Letters of Authorization (LOAs) indicate the conditions under which the holder (referred to herein as the Action Proponent) is authorized to take marine mammals pursuant to military readiness activities involving sonar, explosive detonations, or vessel movements, conducted in the waters of the Study Area.

This Notification and Reporting Plan is specifically intended to outline the applicable requirements the authorization is conditioned upon in the event that a marine mammal stranding (or near-shore atypical milling) event is reported in or immediately adjacent to (within 50 kilometer (km) (27 nautical miles (nmi) of)) the Study Area (or as specified in the specific regional Communication Plan). Since the National Marine Fisheries Service (NMFS) considers all plausible causes when investigating any injury, death, or stranding, any reporting provided pursuant to this plan does not, in any way, imply that any injuries, deaths, strandings, or milling events are related to, or caused by, Action Proponent training or testing activities. All data provided will undergo appropriate security clearance procedures by the Action Proponent prior to release to NMFS.

COMMUNICATION PLAN

Effective communication is critical to the successful implementation of this Notification and Reporting Plan in the Study Area. The Communication Plan is a study-area specific plan that contains very specific communication protocols. These protocols include identification of the Action Proponent personnel authorized to implement a shutdown and the NMFS personnel authorized to advise the Action Proponent of the need to implement shutdown procedures within each NMFS region. The communication protocols in the Communication Plan are organized as a flow chart and have been finalized for the Study Area prior to issuance of the LOA(s). The communication protocols for each Study Area will be updated annually (or more frequently, as appropriate, given changes in personnel).

REQUIREMENTS

1. Notification of the Discovery of a Stranded Marine Mammal¹

a. Floating at Sea

In the event that Action Proponent personnel (uniformed military, civilian, or contractors while conducting Action Proponent work) discover a dead floating marine mammal within the Study Area

¹ As defined in Title IV of the MMPA, a "stranding" is defined as "an event in the wild in which (A) a marine mammal is dead and is (i) on a beach or shore of the United States, or (ii) in waters under the jurisdiction of the United States (including any navigable waters) ; or (B) a marine mammal is alive and is (i) on a beach or shore of the United States and unable to return to the water; (ii) on a beach or shore of the United States and, although able to return to the water, is in need of apparent medical attention; or (iii) in the waters under the jurisdiction of the United States (including any navigable waters), but is unable to return to its natural habitat under its own power or without assistance."

the Action Proponent shall report the incident to the NMFS Regional Stranding Coordinator as soon as feasible.

b. On Land

In the event that Action Proponent personnel (uniformed military, civilian, or contractors while conducting Action Proponent work) discover a live or dead stranded marine mammal within the Study Area or on Action Proponent property overlapping or adjacent to the Study Area the Action Proponent shall report the incident to the local stranding network as soon as feasible. Reports of stranded pinnipeds on rookeries are exempt from this provision.

In the event that the stranding is a cetacean or ESA-listed pinniped, the Action Proponent shall also report the incident to NMFS Regional Stranding Coordinator and Office of Protected Resources Marine Mammal Health and Stranding Response Program staff (see Communication Protocols section of this Notification and Reporting Plan) as well as the local stranding network response organization. For non ESA-listed pinnipeds, the Action Proponent shall report to the local stranding network response organization only.

c. Reporting Elements (Floating at Sea and On Land)

For all reports of discovery of a stranded marine mammal, the Action Proponent will provide NMFS/local stranding network organization with the information needed to evaluate a response and/or capture basic data on a Level A data sheet. This information is:

- Date, time, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
- Species identification (if known) or description of the animal(s) involved;
- Condition of the animal(s) (including carcass condition if the animal is dead);
- Observed behaviors of the animal(s), if alive;
- Photographs or video footage of the animal(s), if available; and
- General circumstances under which the animal was discovered (*e.g.*, during an explosive event, found on Action Proponent property, or found by transiting vessel).

2. Vessel Strike

If a marine mammal is struck by an Action Proponent vessel within the Study Area, whether such vessel strike was authorized by the LOA(s) or not, the incident must be reported to NMFS immediately or as soon as security clearance procedures and safety conditions allow. The report should include the information outlined above in Section 1.

As soon as feasible, but no later than seven (7) business days, the Action Proponent shall additionally report to NMFS, the:

- Vessel's speed during and leading up to the incident;

- Vessel's course/heading and what training or testing activity was being conducted (if applicable);
- Status of all sound sources in use (e.g., active sonar, explosives);
- Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike;
- Environmental conditions immediately preceding the strike (e.g., wind speed and direction, Beaufort sea state, cloud cover, visibility);
- Estimated size and length of animal that was struck;
- Description of the behavior of the marine mammal immediately preceding and following the strike;
- Description of the presence and behavior of any other marine mammals immediately preceding the strike, if available;
- Estimated fate of the animal (e.g., dead, injured but alive, injured and moving, blood or tissue observed in the water, status unknown, disappeared, etc.);
- Photographs or video footage of the animal(s) to the extent practicable; and
- Relevant information discovered during Action Proponent's investigation of a vessel strike, including but not limited to other Action Proponent in-water platforms in use within a mile immediately preceding the strike, as available.

3. Additional Information Requests

If NMFS personnel determine that the circumstances of any marine mammal stranding found within the Study Area or within 50 km (27 nmi) of the Study Area's boundary warrant investigating a potential association with the Action Proponent's activities (examples noted below), and an investigation into the stranding is underway, NMFS personnel will submit a written request to the Action Proponent. This request will ask the Action Proponent to provide the initial available information specified below as soon as possible, but no later than seven (7) business days after the request.

- Status of all permitted sound source and/or explosive use in the 48 hours (hrs) preceding and within 50 km (27 nmi) of the discovery/notification of the stranding by NMFS, or estimated time of stranding; and
- Description of the behavior of any marine mammal(s) sightings preceding (48 hrs and 50 km (27 nmi)) and immediately after the discovery of the stranding (if available).

Examples of circumstances that could trigger the additional information request include, but are not limited to, the following:

- Atypical nearshore milling events of live cetaceans;
- Mass strandings of cetaceans (two or more individuals, not including cow/calf pairs);
- Beaked whale strandings;

- Necropsied animals with findings from gross or histopathology that are unusual for the species or area; and
- Stranded animals with findings consistent with blast trauma.

In the event that the investigation is still inconclusive, the investigation of the association of Action Proponent activities is still warranted, and the investigation is still being pursued, NMFS may have additional information requests.

If the previously mentioned factors are present (*i.e.*, investigation is still inconclusive, *etc.*), the Action Proponent would be required to answer additional questions regarding their activities within 148 km (80 nmi) and 72 hr prior, provided appropriate security clearance procedures are followed.

4. Actions to Minimize Additional Harm to Live-Stranded (or Near-shore Atypical Milling) Marine Mammals

In the event of a live stranding or near-shore atypical milling event within the Study Area or within 50 km (27 nmi) of the boundary of the Study Area, where the stranding network is engaged in herding or other interventions to return animals to the water, NMFS (individuals specifically identified in the study area-specific Communication Plan, NMFS Office of Protected Resources (OPR) – HQ senior administrators) will advise the Action Proponent of the need to implement shutdown procedures for all permitted active acoustic sources or explosive devices within 50 km (27 nmi) of the stranding or near-shore atypical milling event. Following this initial shutdown, NMFS will communicate with the Action Proponent to determine if circumstances support any modification of the shutdown zone. The Action Proponent may decline to implement all or part of the shutdown if the holder of the LOA, or his/her designee, determines that continuation of the military readiness activities are necessary for national security. Shutdown procedures for live stranding or milling marine mammals include the following:

- If at any time, the marine mammal(s) die or are euthanized, or if herding/intervention efforts are stopped, NMFS (individuals specifically identified in the relevant Stranding Communication Protocol) will immediately advise the Action Proponent that the shutdown around the location of the animal(s) is no longer needed.
- Otherwise, shutdown procedures will remain in effect until NMFS (individuals specifically identified in the relevant Stranding Communication Protocol) determines and advises the Action Proponent that all live animals involved have left the area (either of their own volition or following an intervention).
- If further observations of the marine mammals indicate the potential for restranding or milling, additional coordination with the Action Proponent will be required to determine what measures are necessary to minimize that likelihood (*e.g.*, extending the shutdown or moving operations farther away) and to implement those measures as appropriate.

Shutdown procedures are not related to the investigation of the cause of the stranding or milling event, and their implementation is not intended to imply that Action Proponent activity is the cause of the stranding. Rather, shutdown procedures are intended to protect marine mammals exhibiting indicators of distress by minimizing their exposure to possible additional stressors, regardless of the factors that contributed to the stranding or milling event.