



United States Department of the Interior



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

In Reply Refer to:
FWS/IR11/AFES/MMM

Dr. Peter O. Thomas
Executive Director, Marine Mammal Commission
4340 East-West Highway, Room 700
Bethesda, Maryland 20814-4498

Dear Dr. Thomas:

Thank you for your letter, dated January 7, 2021, providing the U.S. Fish and Wildlife Service (Service) with comments and recommendations from the Marine Mammal Commission (Commission) in consultation with the Scientific Advisors on Marine Mammals. Your comments responded to the Service's proposed Incidental Harassment Authorization (IHA) for polar bears (*Ursus maritimus*) (85 *FR* 79082, December 8, 2020) from a planned seismic effort that was requested by the Kaktovik Iñupiat Corporation (KIC). The Service appreciates your comments. As required under section 202(d) of the MMPA, this letter responds to the Commission's recommendations.

On February 19, 2021, the Service determined that because it was impossible for the KIC to conduct the specified activities as described in their request for an IHA, their request for an IHA was no longer actionable. Therefore, the Service does not intend to issue or deny the requested authorization and we have made no determinations regarding the Commission's recommendations. Should the KIC request an IHA in the future for similar activities, we will publish a new *Federal Register* notice and consider any comments the Commission may wish to provide at that time.

Should you have additional questions please contact Special Assistant, Mr. Charles Hamilton via email at charles_hamilton@fws.gov. Thank you once again for providing the Service with your thoughts and recommendations.

Sincerely,

Chief, Marine Mammal Management