



# MARINE MAMMAL COMMISSION

5 August 2015

Ms. Jolie Harrison, Chief  
Permits and Conservation Division  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910-3225

Dear Ms. Harrison:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the application submitted by the California Department of Transportation (CALTRANS) seeking authorization under section 101(a)(5)(D) of the Marine Mammal Protection Act to take small numbers of marine mammals by harassment. The taking would be incidental to demolition activities associated with replacement of the east span of the San Francisco-Oakland Bay Bridge in California. The Commission also has reviewed the National Marine Fisheries Service's (NMFS) 24 July 2015 notice (80 Fed. Reg. 44060) announcing receipt of the application and proposing to issue the authorization, subject to certain conditions.

## Background

Various dismantling activities began in 2014. However, this authorization would cover only the demolition via controlled implosion of the old bridge's Pier E3. Activities would include a demonstration project to evaluate in-water controlled implosion techniques for removal of the marine foundations. The demonstration project would evaluate the blast attenuation system (BAS) and passive acoustic monitoring (PAM) devices using a charge of 0.0025 lbs or less at least 3 to 4 days prior to the implosion of Pier E3. The controlled implosion would include 588 individual delays of charges weighing between 21 and 35 lbs each—all of which would detonate in 5.3 seconds. CALTRANS would conduct the demolition activities between 1 October and 30 December 2015.

NMFS preliminarily has determined that, at most, the proposed activities temporarily would modify the behavior of small numbers of harbor seals, California sea lions, elephant seals, and harbor porpoises. NMFS anticipates that any impact on the affected species and stocks would be negligible. NMFS also does not anticipate any take of marine mammals by death or serious injury and believes that the potential for disturbance will be at the least practicable level because of the proposed mitigation measures. The mitigation, monitoring, and reporting measures include—

- restricting activities to daylight hours with enough time for pre- and post-implosion monitoring and good visibility to monitor visually the largest Level A harassment zone;
- implementing a BAS to reduce the shockwave from the implosion;
- conducting in-situ BAS and PAM device evaluation prior to the implosion and making adjustments as necessary;

Ms. Jolie Harrison

5 August 2015

Page 2

- using 10<sup>1</sup> NMFS-approved protected species observers to monitor the Level A and B harassment zones 30 minutes prior to, during, and 60 minutes after the implosion;
- using delay procedures if an animal enters the Level A harassment zone;
- conducting vessel- or shore-based surveys on each of the 3 days post-implosion to determine if any marine mammals are injured or strand—if an injured or stranded animal is discovered, a NMFS-designated stranding team would retrieve the animal and veterinarians would treat the animal or conduct a necropsy;
- requiring the (1) NMFS-designated stranding facility be prepared to evaluate, assess, and treat marine mammals injured from the implosion and (2) stranding crew and a veterinarian to be on call near the Pier E3 site to recover and respond to any injured marine mammals;
- conducting real-time PAM to detect harbor porpoises and if detected, delaying activities for at least 30 minutes after the last detection;
- conducting hydroacoustic and ambient sound monitoring to evaluate the distances to the various thresholds and to improve prediction of those distances for future implosions; and
- submitting a final report.

The Commission concurs with NMFS's preliminary finding and recommends that NMFS issue the requested incidental harassment authorizations, subject to inclusion of the proposed mitigation, monitoring, and reporting measures. Please contact me if you have questions regarding the Commission's recommendation.

Sincerely,



Rebecca J. Lent, Ph.D.  
Executive Director

---

<sup>1</sup> Per the monitoring plan.