

**FISH AND WILDLIFE SERVICE
DELEGATIONS**

Delegations **Part 036 Other Specific Redelegations**
Chapter 2 Marine Mammal Protection Act Incidental Harassment Authorizations **036 FW 2**

2.1 What is the purpose of this chapter? This chapter delegates the signature authority in the U.S. Fish and Wildlife Service (Service) for Incidental Harassment Authorizations (IHAs) under section 101(a)(5)(D) of the Marine Mammal Protection Act of 1972, as amended (MMPA) from the Director to Regional Directors (see 16 U.S.C. 1371).

2.2 Who has signature authority for IHAs and what does that authority entail?

Regional Directors in Regions 1, 4, 7, and 8 may:

A. Sign *Federal Register* notices:

(1) Announcing receipt of applications, and

(2) Providing proposed IHAs; and

B. Issue, modify, suspend, and revoke IHAs issuable under section 101(a)(5)(D) of the MMPA.

2.3 Are there limitations on further delegation of these authorities? The Regional Directors may not redelegate this authority any lower than their Deputy Regional Directors.

2.4 Are there requirements associated with delegation of these authorities? Yes.

A. The National Marine Mammal Coordinator in Headquarters must review all proposed IHA *Federal Register* notices before they are signed and sent to the Office of the Federal Register.

B. Regional and field staff should use the *Internal Review Process for Authorizing Harassment under Section 101(a)(5)(D) of the Marine Mammal Protection Act* (available on the Service's Handbooks Web site) when considering IHAs.

/sgd/ Stephen Guertin
DEPUTY DIRECTOR

Date: June 6, 2016