



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

JUN 30 2004

MEMORANDUM FOR: Susan A. Kennedy
Deputy Director
Office of Strategic Planning

FROM: *William T. Hogarth*
William T. Hogarth, Ph.D.

SUBJECT: Environmental Assessment on the effects of issuance of eleven National Marine Fisheries Service scientific research permits on marine mammal and sea turtle species in the North Pacific Ocean, Southern Ocean and Arctic Ocean and foreign territorial waters of Mexico (Gulf of California only), Canada, Russia, Japan and the Philippines

Applications for scientific research permits to take marine mammals and sea turtles were submitted by Andrew Szabo (file no. 1029-1675), Dena Matkin (file no. 662-1661), Ann Zoidis (file no. 1039-1699), Jan Straley (file no. 473-1700), Kate Wynne (file no. 1049-1718), Fred Sharpe (file no. 716-1705), Cynthia Tynan (file no. 1035-1688), National Marine Mammal Laboratory (file no. 782-1719), and Southwest Fisheries Science Center (file no. 774-1714). There are also two amendments to existing scientific research permits held by Jim Darling (file no. 753-1599) and Joe Mobley (file no. 642-1536). The primary objectives of the proposed permit actions are to improve understanding of management needs by collecting information on the basic biology, ecology and stock structure of these species in the designated action. As several requested species are listed under the ESA, the research would provide information needed to recover the species to the point that they can be removed from ESA listing.

The attached environmental assessment includes an evaluation of the status of the affected species throughout the U.S. territorial waters and high seas of the North Pacific Ocean, Southern Ocean and Arctic Ocean and foreign territorial waters of Mexico (Gulf of California only), Canada, Russia, Japan and the Philippines and the potential impacts of the proposed research activities. As a result of the environmental review process, we have determined that the applications and accompanying documentation satisfy the criteria for research permits.

Based on the subject environmental assessment, I have determined that no significant environmental impacts will result from this action. I request your concurrence in this determination by signing below. Please return this memorandum for our files.

- 1. I concur. *Steve Tabbert*
for Susan Kennedy
- 2. I do not concur. _____

Date July 1, 2004
Date _____

Attachments





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Finding of No Significant Environmental Impact

The National Marine Fisheries Service (NMFS), Office of Protected Resources, Permits, Conservation and Education Division has prepared the attached Environmental Assessment (EA) for eleven scientific research permits/major amendments focusing on marine mammal and sea turtle species. The proposed action area includes U.S. territorial waters and high seas of the North Pacific Ocean (including the Gulf of Alaska and Bering Sea), Arctic Ocean (including the Chukchi Sea and Beaufort Sea), Southern Ocean (including waters off Antarctica), and foreign territorial waters of Mexico (Gulf of California only), Canada, Russia, Japan and the Philippines.

NMFS proposes to issue nine scientific research permits and two major amendments to existing permits pursuant to the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 et seq.), and the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.). The primary objectives of the proposed actions are to improve understanding of management needs by collecting information on the basic biology, ecology and stock structure of these species in the designated action area. As several requested species are listed under the ESA, information collected would be used for management needs in recovering the species to the point that they can be removed from ESA listing. Scientific research permits are generally categorically excluded from the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 et seq.) requirements to prepare an EA or environmental impact statement (EIS) (NAO 216-6). However, as the proposed actions include takes of ESA-listed species, NMFS concluded that further environmental review was warranted to determine whether significant environmental impacts could result from issuance of the proposed scientific research permits and permit amendments. Therefore, this document evaluates the relevant effects of a variety of scientific research activities on ESA-listed species in the proposed action area under several alternate permitting options.

Having reviewed the EA, I have determined that this action would not have a significant impact on the quality of the human environment. Therefore, preparation of an EIS on the action is not required by Section 102(2)(c) of the NEPA or its implementing regulations.



William T. Hogarth, Ph.D.

Assistant Administrator for Fisheries, NOAA

6/30/04

Date

