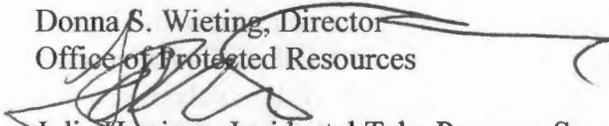




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

DEC 16 2013

MEMORANDUM FOR: Donna S. Wieting, Director
Office of Protected Resources

FROM: 
Jolie Harrison, Incidental Take Program Supervisor
Permits and Conservation Division
Office of Protected Resources

SUBJECT: Reaffirming a Finding of No Significant Impact (FONSI) on the Issuance of an Incidental Harassment Authorization to the University of California Santa Cruz to Take Marine Mammals by Harassment Incidental to Conducting Rocky Intertidal Monitoring Surveys along the California and Oregon Coasts –
MEMORANDUM TO THE RECORD

On July 10, 2013, the National Marine Fisheries Service (NMFS) received an application from the Partnership for Interdisciplinary Study of Coastal Oceans (PISCO) at the University of California Santa Cruz, requesting that NMFS issue an incidental harassment authorization (IHA) under the Marine Mammal Protection Act (MMPA) for the take, by Level B harassment only, of marine mammals incidental to rocky intertidal monitoring surveys along the California and Oregon coasts. Section 101(a)(5)(D) directs NMFS to allow, upon request, the take of small numbers of marine mammals incidental to activities other than commercial fishing, provided that NMFS determines that the actions will have a negligible impact on the affected species or stocks of marine mammals, and will not have an unmitigable adverse impact on the availability of those species or stocks of marine mammals for taking for subsistence uses.

In accordance with the National Environmental Policy Act (NEPA) and its implementing regulations and agency NEPA procedures, NMFS completed an *Environmental Assessment for the Issuance of Incidental Harassment Authorizations to the Gulf of the Farallones National Marine Sanctuary and University of California Santa Cruz to Take Marine Mammals by Harassment Incidental to Rocky Intertidal Monitoring along the U.S. Pacific Coast* (EA) and signed a Finding of No Significant Impact (FONSI) on November 26, 2012 prior to the issuance of an IHA to PISCO for the December 2012 to December 2013 field season. The EA describes the proposed action alternative, reasonable additional alternatives, and the potential impacts on marine mammals, endangered species, and other marine life that could result from the preferred alternative and other alternatives. NMFS prepared a FONSI to evaluate the significance of the impacts of NMFS's proposed actions and is specific to Alternative 2 in NMFS's EA as the preferred alternative. Alternative 2 is entitled "Proposed Action." Based on NMFS's review of PISCO's proposed activities and the measures contained in Alternative 2, NMFS has determined that no significant impacts to the human environment would occur from implementing the Preferred Alternative.



The proposed activities are to continue rocky intertidal monitoring surveys along the Pacific coast to understand the nearshore ecosystems of the U.S. west coast. PISCO's activities are the same as those conducted under the IHA issued in 2012.

The rocky intertidal monitoring surveys that would be covered by the proposed IHA from December 2013 to December 2014 are the same as the activities described in the NMFS EA for PISCO's activities and the effects of the IHA fall within the scope of that document and do not require further supplementation. As a result of this analysis, as well as the public comments received in response to publication in the *Federal Register* notice and proposed IHA, NMFS has reaffirmed the FONSI for this action. Accordingly, we have determined it is not necessary to issue an Environmental Impact Statement for the issuance of an IHA to PISCO to conduct rocky intertidal monitoring surveys along the California and Oregon coasts.