UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

October 18, 2012

MEMORANDUM FOR: Patricia A. Montanio
NOAA NEPA Coordinator

FROM: James W. Balsiger, Ph.D
Administrator, Alaska Region

SUBJECT: Essential Fish Habitat (EFH) Omnibus Amendments (BSAI 98, GOA 90, KTC 40, SCAL 15, ARC 1) (RIN 0648-XA500).

The attached subject environmental assessment (EA) and Finding of No Significant Impact (FONSI) are forwarded for your review. The EA and FONSI have been prepared in accordance with the provisions of: (1) NOAA Administrative Order 216-6, Environmental Review Procedures For Implementing The National Environmental Policy Act; and (2) the Council on Environmental Quality's Regulations For Implementing The Procedural Provisions of The National Environmental Policy Act (40 CFR Parts 1500-1508).

Based on the environmental impact analysis within the attached EA, I have determined that no significant environmental impacts will result from the proposed action. I therefore have approved the FONSI for this proposed action. I request your concurrence with the EA and its FONSI. I also recommend, subject to a request from the public, that you release the documents for public review.

1. I concur._____
NOAA NEPA Coordinator Date

2. I do not concur._____
NOAA NEPA Coordinator Date

Finding of No Significant Impact for Essential Fish Habitat Omnibus Amendments: Amendment 98 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area; Amendment 90 to the FMP for Groundfish of the Gulf of Alaska; Amendment 40 to the FMP for Bering Sea/Aleutian Islands King and Tanner Crabs; Amendment 15 to the FMP for the Scallop Fishery off Alaska; Amendment 1 to the FMP for Fish Resources of the Arctic Management Area [RIN 0648-XA500]

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National Oceanic and Atmospheric Administration Administrative Order 216-6 (NAO 216-6) (May 20, 1999) contains criteria for determining the significance of the impacts of a proposed action. In addition, the Council on Environmental Quality regulations at 40 CFR 1508.27 state that the significance of an action should be analyzed both in terms of "context" and "intensity." Each criterion listed below is relevant in making a finding of no significant impact and has been considered individually, as well as in combination with the others. The significance of this action is analyzed based on the NAO 216-6 criteria and CEQ's context and intensity criteria. These include:

1) Can the proposed action reasonably be expected to jeopardize the sustainability of any target species that may be affected by the action?

Response: No. The action will have no impact on the sustainability of the target species. Target species are those species managed under the BSAI Groundfish FMP; GOA Groundfish FMP; BSAI Crab FMP; Scallop FMP; and the Arctic FMP. As mentioned in Sections 4.3.2, 5.3.2, 6.3.2, and 7.3.2 of the EA, the preferred alternatives will result in relatively minor changes to the existing EFH descriptions for the target stocks, and the impact of the changes is not substantively different from that analyzed in the 2005 EFH EIS. Updated information on EFH for each FMP species would improve management.

2) Can the proposed action reasonably be expected to jeopardize the sustainability of any non-target species?

Response: No. The action will have no impact on the sustainability of the non-target species that are caught in the fisheries of the above-referenced FMPs. The action amends EFH information and will not affect the management of these species. The revisions to EFH text and maps are minor and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS.

3) Can the proposed action reasonably be expected to cause substantial damage to the ocean and coastal habitats and/or essential fish habitat as defined under the Magnuson-Stevens Act and identified in FMPs?

Response: No. The action will have no damaging effect on ocean and coastal habitats and/or essential fish habitat. The revisions to EFH text and maps are minor and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. The inclusion of more up-to-date and accurate EFH information might have a slightly beneficial impact on ocean and coastal habitats and/or essential fish habitat compared to status quo by better informing fisheries management.

4) Can the proposed action be reasonably expected to have a substantial adverse impact on public health or safety?

Response: No, the action will have no impact on public health and safety. The revisions to EFH text and maps are minor. The impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS, and no changes are expected in fisheries activities that would lead to public health impacts or safety impacts.

5) Can the proposed action reasonably be expected to adversely affect endangered or threatened species, marine mammals, or critical habitat of these species?

Response: No, the action will not affect endangered or threatened species, marine mammals, or critical habitat of these species. The revisions to EFH text and maps are minor and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. The inclusion of more up-to-date and accurate EFH information might have a slight beneficial impact on endangered or threatened species, marine mammals, or critical habitat compared to status quo by better informing fisheries management for managed fish species that may also be used by ESA-listed species or marine mammals.

6) Can the proposed action be expected to have a substantial impact on biodiversity and/or ecosystem function within the affected area (e.g., benthic productivity, predator-prey relationships, etc.)?

Response: No, the action is not expected to impact biodiversity and/or ecosystem function within the affected areas. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. Any adjustments to fisheries management based on the minor changes to the EFH descriptions are not expected to have ecosystem level impacts or impacts on biodiversity.

7) Are significant social or economic impacts interrelated with natural or physical environmental effects?

Response: No, there are no significant social or economic impacts interrelated with natural or physical environmental effects. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. No social or economic impacts are expected with the EFH description changes, as only minor shifts in fisheries management may occur and no overall changes in economic or social aspects of the fisheries are expected.

8) Are the effects on the quality of the human environment likely to be highly controversial?

Response: No, the effects on the quality of the human environment are not likely to be controversial. The revisions to EFH text and maps are minor and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. The effects of describing EFH are not controversial as any changes to fisheries management due to the minor changes in the EFH descriptions are well understood and described in the 2005 EFH EIS; there is no new information that would lead to different effects conclusions.

9) Can the proposed action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas?

Response: No, the action is not expected to result in impacts to unique areas. EFH may include ecologically sensitive areas, but this action is only a description of EFH to use in consideration of fisheries management measures and EFH consultation. No substantial impacts on these areas are expected because the revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS.

10) Are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Response: No, the effects on the human environment are not likely to be uncertain or involve unique or unknown risks. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. Impacts of describing EFH are well known as shown in the 2005 EFH EIS.

11) Is the proposed action related to other actions with individually insignificant, but cumulatively significant impacts?

Response: No, the action is not related to other actions with individually insignificant, but cumulative significant impacts. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. No additional past, present, or reasonably foreseeable future actions beyond those described in the cumulative effects analysis in the 2005 EFH EIS have been identified that would combine with the minor beneficial effects of improved EFH descriptions to result in significant cumulative effects.

12) Is the proposed action likely to adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources?

Response: No, the action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historical resources. This action occurs in the

exclusive economic zone off Alaska, which does not contain these types of sites. This action revises EFH text and maps and will result in the minor beneficial effect of improved fisheries management through more accurate EFH descriptions.

13) Can the proposed action reasonably be expected to result in the introduction or spread of a nonindigenous species?

Response: No, the action is not reasonably expected to result in the introduction or spread of a nonindigenous species as this action has no effect on the location or participation of fishing vessels in the fisheries that could result in the introduction of invasive species.

14) Is the proposed action likely to establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration?

Response: No, the action is not likely to establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. The schedule for revisions to EFH descriptions are mandated by the Magnuson-Stevens Act and the FMPs for Alaska fisheries, as analyzed in the 2005 EFH EIS and implemented in 2006. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS.

15) Can the proposed action reasonably be expected to threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment?

Response: No, the action is not expected to threaten a violation of federal, state, or local law or requirements imposed for the protection of the environment. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. The action is consistent with requirements of the Magnuson-Stevens Act established for the identification and conservation of EFH and does not conflict with any other laws for the protection of the environment.

16) Can the proposed action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species?

Response: No, the action is not expected to result in cumulative adverse effects that could have a substantial effect on the target species or non-target species. The revisions to EFH text and maps are minor, and the impact of the changes under these amendments is not substantively different from that analyzed in the 2005 EFH EIS. No additional past, present, or reasonably foreseeable future actions beyond those described in the 2005 EFH EIS have been identified that would combine with the minor beneficial effects of improved EFH descriptions to result in significant cumulative effects on target or non-target species.

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting Environmental Assessment prepared for Essential Fish Habitat Omnibus Amendments, it is hereby determined that the Essential Fish Habitat Omnibus Amendments will not significantly impact the quality of the human environment as described above and in the supporting Environmental Assessment. In addition, all beneficial and adverse impacts of the action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.

10.18.12

James W. Balsiger, Ph.D. — Date
Administrator, Alaska Region