

**Finding of No Significant Impact for the Environmental Assessment  
for the Groundfish and Pacific Halibut Fisheries Conducted under the  
Western Alaska Community Development Quota (CDQ) Program (RIN 0648-AV33)**

National Marine Fisheries Service  
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National Oceanic and Atmospheric Administration Administrative Order 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 (CEQ) 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 to 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:

*Context:* The setting of this action is the groundfish and Pacific halibut CDQ fisheries in the Bering Sea and Aleutian Islands (BSAI) management area. Any effects of this action are directly limited to this area. The effects on society within this area are on entities directly and indirectly participating in the groundfish CDQ fisheries and on those who use BSAI ocean resources. The action would make various revisions to fisheries observer coverage requirements, bycatch retention requirements, licensing requirements, and various other fishery management regulations governing the CDQ Program. This action would have no significant impacts on society as a whole or regionally.

*Intensity:* A listing of considerations to determine the intensity of the impacts are in 40 CFR 1508.27(b) and in NAO 216-6. Each consideration is addressed below in order as it appears in the NMFS Instruction 30-124-1 dated July 22, 2005, Guidelines for Preparation of a FONSI. The sections of the Environmental Assessment (EA) that address the considerations are identified.

1. *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 Fishery Conservation and Management Act and identified in fishery management plans?* No significant adverse impacts on habitat were identified (EA Sections 4.1.4 and 4.1.5).
2. *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.)?* No effects are expected on biodiversity, the BSAI ecosystem, or seabirds. This action incrementally affects regulations governing subsets of existing BSAI fisheries for sablefish, pollock, and halibut. However, it does not propose amending the overarching fisheries management structure in place for these BSAI fisheries as a whole (EA Section 4.1.5).
3. *Can the proposed action be reasonably expected to have a substantial adverse impact on public health or safety?* No public health and safety impacts were identified in any of the proposed alternatives (EA Section 2.1).
4. *Can the proposed action be expected to adversely affect endangered or threatened species, marine mammals, or critical habitat for these species?* No. None of the alternatives would change groundfish TAC limits, prohibited species catch limits, CDQ allocations, or the seasons in which CDQ fisheries occur. The alternatives would not change Steller sea lion protection

measures or other measures designed to protect threatened or endangered species or their critical habitat (EA Section 4.1.4).

5. *Are significant social or economic impacts inter-related with natural or physical environmental effects?* Risks to the human environment by the fisheries affected by this action are expected to be minimal. This action is limited in scope and likely would not impact the human environment beyond issues discussed in the Groundfish Harvest Specifications Final EIS (EA Section 4.2.2).

6. *Are the effects on the quality of the human environment like to be highly controversial?* These alternatives considered for this action are not expected to be controversial. They propose a means to revise regulations for the CDQ fisheries associated with this action so that they are consistent with regulations in place for comparable non-CDQ fisheries (EA Section 4.2).

7. *Can the proposed action reasonably be expected to result in substantial impacts to unique areas, such as historic or cultural resources, park land, farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?* No. This action would have no substantial impact on such unique areas in the BSAI. General effects on ecologically critical marine areas are discussed in the Essential Fish Habitat Final EIS prepared by NMFS in 2005 (EA Section 4.1.4).

8. *Are the effects on the human environment likely to be highly uncertain or involve unique or unknown risks?* No. This action does not present such risks. The potential effects are well understood in the context of the fisheries, species, and areas associated with this action (EA Sections 4.2.2 and 4.3).

9. *Is the proposed action related to other actions with individually insignificant, but cumulatively significant impacts?* No such actions were identified among the pending Federal actions under development for the BSAI groundfish fisheries (EA Sections 4.3 and 4.3.1).

10. *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 historic resources?* This action would not have an effect on such features, objects listed or eligible for listing in the National Register of Historic Places, or cause loss or destruction of significant scientific, cultural, or historical resources. This consideration is not applicable to this action.

11. *Can the proposed action be reasonably expected to result in the introduction or spread of a non-indigenous species?* No introduction or spread of non-indigenous species is expected as a result of this action. The regulatory changes associated with the action would not change fishing, processing, or shipping practices (EA Section 4.1.1).

12. *Is the proposed action likely to establish a precedent for future action with significant effects or represents a decision in principle about a future consideration?* No. Future actions taken by NMFS may further modify fishery management regulations associated with the BSAI groundfish fisheries. Pursuant to NEPA, appropriate environmental analyses will be prepared to inform the public and decision makers of potential impacts of future impacts on the human environment (EA Section 4.3.1).

13. *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?* The alternatives considered for this action do not pose a known violation of Federal, State, or local laws or

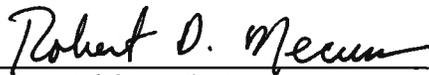
requirements for protection of the environment. This action is intended to ensure that CDQ fisheries management regulations are consistent with the Magnuson-Stevens Act (EA Sections 1.1 and 1.2).

14. *Can the proposed action reasonably be expected to result in cumulative adverse effects that could have a substantial effect on target species or non-target species?* Beyond the cumulative impact analysis in the Groundfish Harvest Specifications Final EIS, NMFS has not identified any additional past or present cumulative impact issues that would accrue from this action (EA Section 4.3).

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## DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting Environmental Assessment prepared for a regulatory action to modify fishery management regulations in the Community Development Quota (CDQ) fisheries conducted in the Bering Sea and Aleutian Islands management area, it is hereby determined that this action modifying the management of the CDQ fisheries 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 proposed action have been addressed to reach the conclusion of no significant impacts. Accordingly, preparation of an EIS for this action is not necessary.



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Date