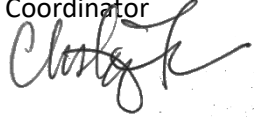




**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

FROM: Christy Fellas, DWH Environmental Compliance Coordinator  
NOAA Restoration Center 

DATE: September 21, 2023

SUBJECT: Evaluating the Cumulative Impacts of Multiple Stressors on Cetaceans (PCOMS) - Phase 2 field work: Existing NMFS ESA and MMPA Compliance

Based on my review of project materials including the Biological Evaluation forms (Fall 2023), and in coordination with representatives from NOAA's Protected Resource Division (PRD) in the Southeast Regional Office, the NOAA Restoration Center (RC) determined that the proposed project has existing coverage from previous compliance efforts for the Endangered Species Act and the Marine Mammal Protection Act under the jurisdiction of National Marine Fisheries Service (NMFS). The NMFS Southeast Fisheries Science Center (SEFSC) holds an existing permit authorizing take from the proposed survey and sampling methods (Permit #21938-03).

Permit #21938-03 is currently set to expire in May 2024 and the SEFSC has already begun discussions with NMFS Office of Protected Resources to renew the permit. Any work for the PCOMS project that takes place under the new permit will follow all conditions and best management practices outline in the permit.

For more detail on the existing compliance documents refer to the Biological Evaluation form for this project and the administrative record. This project will not require further evaluation under ESA or MMPA for species or habitats under the jurisdiction of NMFS. If the project is modified in a way that may not be covered by existing permits, it will be reevaluated as appropriate.