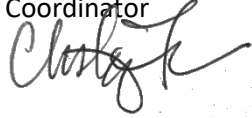




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: January 17, 2023

SUBJECT: Open Ocean TIG RP/EA #3: Phased Compliance for the Seabird Bycatch Reduction in North Atlantic Fisheries

Based on my review of project materials including the Biological Evaluation forms (Summer 2022), and in coordination with representatives from NOAA's Northeast Regional Office, the NOAA Restoration Center (RC) determined that this project will need additional review once the methodologies and locations are determined for the pilot projects..

For the project activities that involve establishing partnerships, conducting workshops, engaging with local fisherman and stakeholders for outreach and education, and collecting and analyzing data, no compliance reviews are needed. These activities do not have adverse effects to species or habitats listed under the Endangered Species Act, designated Essential Fish Habitat or animals protected by the Marine Mammal Protection Act under the jurisdiction National Marine Fisheries Service (NMFS).

For project activities that involve vessel-based activities, specifically pilot studies to be conducted in the northeastern Atlantic, off the coast of New England and Canada compliance reviews may be required. These pilot studies would be conducted in waters where commercial fishing vessels are permitted and already operating within managed fisheries. Since details of the pilot projects have not yet been identified, it is possible that certain activities of the pilot projects may need additional reviews, consultations and/or permits.

Once the pilot project planning is complete, the OO TIG will evaluate potential effects that may require additional compliance. These details will be captured in an updated BE form which NOAA RC and NMFS offices will review to determine any NMFS compliance reviews that may be needed.