

Because this action will not be changing fishing locations or effort, it will not impact areas with unique environmental characteristics, species or habitats protected by the Endangered Species Act, the Marine Mammal Protection Act, the Magnuson-Stevens Act, the Migratory Bird Treaty Act, or properties listed or eligible for listing on the National Register of Historic Places. Furthermore, this action has no potential to generate, use, store, transport, or dispose of hazardous or toxic substances. Nor is there the potential to cause disproportionately high and adverse effects on the health or the environment of minority or low-income communities, compared to the impacts on other communities. This action will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species. The action does not pose a potential violation of Federal, State, or local law or requirements imposed for protection of the environment; involve environmental effects that are highly controversial, uncertain, unique, or unknown; establish a precedent or decision in principle for future actions; or result in cumulative significant impacts.

CE Determination:

Based upon the above analysis, NOAA has determined that the action proposed falls within the category of actions subject to CE identified in Appendix E of NOAA's Companion Manual for NAO 216-6A, B12, for the issuance of EFPs that are limited in size, magnitude, or duration. This category of actions does not individually or cumulatively have a significant effect on the quality of the human environment, is not connected to a larger action (40 CFR 1508.25(a)),^a and does not involve extraordinary circumstances precluding use of the CE. As such, NOAA has determined that it is categorically excluded from further NEPA review.

The original signed memorandum will be maintained in the record for the proposed action.

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

^a This CE was prepared using the 1978 CEQ NEPA Regulations. NEPA reviews initiated prior to the effective date of the 2020 CEQ regulations may be conducted using the 1978 version of the regulations. The effective date of the 2020 CEQ NEPA Regulations was September 14, 2020. This review began in June 2020 and the agency has decided to proceed under the 1978 regulations.

