



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

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January 13, 2009

MEMORANDUM FOR: The File

FROM: Robert D. Mecum   
Acting Administrator, Alaska Region

SUBJECT: Categorical Exclusion for an Exempted Fishing Permit to test  
Halibut Mortality Measurement Methods

NMFS has received an application for an exempted fishing permit (EFP) from North Pacific Fisheries Foundation (NPF). The EFP would allow data to be collected from approximately 100 halibut caught by non-pelagic trawl gear for constructing a reflex action mortality predictor (RAMP) for predicting delayed mortality in individual trawl caught halibut, and to compare the RAMP method with the IPHC viability method for predicting delayed mortality in individual fish. The activities under this EFP would be conducted within the 2009 harvest specifications of Groundfish and halibut prohibited species catch.

This proposed action would exempt the vessel, F/T Seafisher, vessel identification No. 56964 from requirements to immediately release all incidental catch of halibut, at § 679.7(a)(12) and § 679.21(b)(2)(ii). Halibut used would be taken under normal commercial fishing operations. All halibut would be returned to the sea within 3 days of harvest. The EFP would apply for the period of time required to complete the experiment in 2009 in areas open to directed fishing for flatfish. This EFP would be of limited scope and duration and would not be expected to change the nature or duration of the groundfish fishery, fishing practices or gear used by this vessel, or the amount or species of fish caught.

The incidental catch of halibut during flatfish fishing is within the scope analyzed in the Environmental Impact Statement, January 2007, (Alaska Groundfish Harvest Specifications). Based on the EIS, NMFS found no significant impacts on the human environment from this action.

After reviewing the proposed action in relation to NOAA Administrative Order (NAO) 216-6, including the criteria used to determine significance, we have determined that the proposed action, if implemented, would not individually or cumulatively have a significant effect on the human environment. Specifically, this proposed action is categorically excluded under Section 5.05b of NAO 216-6 from both further environmental review and the requirement to prepare an environmental review document because it is within the scope of previous analyses that “for the



“same [*sic*] action demonstrated that the action will not have significant impacts on the quality of the human environment.” This action does not trigger any of the exceptions to a CE listed under Section 5.05c of NAO 216-6 because it does not involve a geographic area with unique characteristics, is not the subject of public controversy based on potential environmental consequences, does not have uncertain environmental impacts or unique or unknown risks, does not establish a precedent or decision in principle about future proposals, will not result in cumulatively significant impacts, and will not have any adverse effects upon endangered or threatened species or their habitats.