

**Finding of No Significant Impact (FONSI) for the Supplemental Programmatic
Environmental Assessment (S-PEA), National Oceanic and Atmospheric
Administration (NOAA), NOAA Fisheries Service, Southeast Regional Office
(SERO) and Southeast Fisheries Science Center (SEFSC), Federal Financial
Assistance and Special Permits**

The Council on Environmental Quality (CEQ) Regulations state that the determination of significance using an analysis of effects requires examination of both context and intensity, and lists ten criteria for intensity (40 CFR 1508.27). In addition, the Companion Manual for National Oceanic and Atmospheric Administration Administrative Order 216-6A provides sixteen criteria, the same ten as the CEQ Regulations and six additional, for determining whether the impacts of a proposed action are significant. Each criterion is discussed below with respect to the proposed action and considered individually as well as in combination with the others.

1) Can the proposed action reasonably be expected to cause both beneficial and adverse impacts that overall may result in a significant effect, even if the effect will be beneficial?

Response: No. The S-PEA only refines a process for streamline reporting of activities that are already eligible for a Categorical Exclusion (CE). In order to be eligible for the streamlined reporting the activities have to hold no potential for effects to the environment. The S-PEA slightly improves the efficacy and efficiency of the PEA without any adverse impacts. The impacts of the proposed action, therefore, will have a minor beneficial effect on the administration of these grants and special permits, which will not be significant.

2) Can the proposed action reasonably be expected to significantly affect public health or safety?

Response: No. The classification of activities in the S-PEA is based in part on having no potential for effects on public health and safety. Streamlined reporting of activities that have no potential for effects to the environment are not expected to have any effect on public health and safety.

3) Can the proposed action reasonably be expected to result in significant impacts to unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas?

Response: No. The activities that meet the definitions for streamlined reporting in the S-PEA have no potential for effects to the environment. Any activities that had any potential to impact unique areas, such as historic or cultural resources, park land, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas would fall outside the scope of the S-PEA and would not be eligible for the streamlined reporting.

process. Thus, the streamlined reporting is not expected to result in significant impacts to unique characteristics of the geographic area.

4) Are the proposed action's effects on the quality of the human environment likely to be highly controversial?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. The streamlined reporting of these actions has no potential to be controversial at all. The S-PEA, therefore, is not expected to have possible effects on the quality of the human environment that are likely to be highly controversial.

5) Are the proposed action's effects on the human environment likely to be highly uncertain or involve unique or unknown risks?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. The streamlined reporting of these actions has no potential to involve unique or unknown risks or be highly uncertain.

6) Can the proposed action reasonably be expected to establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration?

Response: No. The streamlined reporting process in the S-PEA is an administrative action. The streamlined reporting of these actions does not create a precedent for future actions with significant effects or represent a decision in principle about a future consideration. All activities must first be eligible for a CE, which by definition are not significant actions. Therefore, the S-PEA is unlikely to result in effects on the human environment that create a precedent for future actions with significant effect or represent a decision in principle about a future consideration.

7) Is the proposed action related to other actions that when considered together will have individually insignificant but cumulatively significant impacts?

Response: No. The S-PEA only refines a process for streamline reporting of activities that are already eligible for a CE. In order to be eligible for the streamlined reporting the activities have to hold no potential for effects to the environment. As discussed in the cumulative impacts analysis in the S-PEA, the streamlined reporting of these actions holds no potential for individually insignificant but cumulatively significant impacts.

8) Can the proposed action reasonably be expected 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 historical resources?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. Any activities that could potentially adversely affect districts sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources, would not be eligible for the streamlined reporting process. Therefore, the proposed action holds no potential to have impacts on these resources.

9) Can the proposed action reasonably be expected to have a significant impact on endangered or threatened species, or their critical habitat as defined under the Endangered Species Act of 1973?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. Any activities that could be reasonably expected to impact endangered or threatened species or their critical habitat would not be eligible for streamlined reporting. Therefore, there is no potential for the proposed action to have a significant impact on endangered or threatened species, or their critical habitat as defined under the Endangered Species Act of 1973.

10) Can the proposed action reasonably be expected to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection?

Response: No. The activities that meet the definitions for streamlined reporting in the S-PEA have no potential for effects to the environment. Any activities that had a potential to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection would not be eligible for the streamlined reporting process. Therefore, the proposed action is not expected to threaten a violation of Federal, state, or local law or requirements imposed for environmental protection.

11) Can the proposed action reasonably be expected to adversely affect stocks of marine mammals as defined in the Marine Mammal Protection Act (MMPA)?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. Any activities that could adversely affect stocks of marine mammals as defined in the MMPA would not be eligible for the streamlined reporting. Therefore, there is no potential to significantly affect marine mammals, or their critical habitat.

12) Can the proposed action reasonably be expected to adversely affect managed fish species?

Response: No. The S-PEA only refines a process for streamline reporting of activities that are already eligible for a CE. In order to be eligible for the streamlined reporting the activities have to hold no potential for effects to the environment. Therefore, the proposed actions hold no potential to adversely affect managed species.

13) Can the proposed action reasonably be expected to adversely affect essential fish habitat (EFH) as defined under the Magnuson-Stevens Fishery Conservation and Management Act?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. Therefore, any activities eligible for streamlined reporting will hold no potential to adversely affect EFH.

14) Can the proposed action reasonably be expected to adversely affect vulnerable marine or coastal ecosystems, including but not limited to, deep coral ecosystems?

Response: No. The S-PEA only refines a process for streamline reporting of activities that are already eligible for a CE. In order to be eligible for the streamlined reporting the activities have to hold no potential for effects to the environment. Therefore, the proposed action holds no potential to adversely affect vulnerable marine or coastal ecosystems, and coral reef ecosystems (including but not limited to deep corals).

15) Can the proposed action reasonably be expected to adversely affect biodiversity or ecosystem functioning (e.g., benthic productivity, predator-prey relationships, etc.)?

Response: No. The streamlined reporting process developed initially in the PEA and further refined in the S-PEA is an administrative action. All activities must first be eligible for a CE (i.e. by definition not a significant activity) before they can be considered for the streamlined reporting process. Any activities that could adversely affect biodiversity or ecosystem functioning would not be eligible for streamlined reporting. Therefore, the proposed actions hold no potential to adversely affect biodiversity or ecosystem functioning (e.g., benthic productivity, predator-prey relationships).

16) Can the proposed action reasonably be expected to result in the introduction or spread of a non-indigenous species?

Response: No. The activities that meet the definitions for streamlined reporting in the S-PEA have no potential for effects to the environment. Any activities that had a potential

to result in the introduction or spread of a non-indigenous species, would not be eligible for streamlined reporting. Therefore, the proposed action is not expected to result in the introduction or spread of a non-indigenous species.

DETERMINATION

In view of the information presented in this document and the analysis contained in the supporting S-PEA prepared for NOAA Fisheries Service, SERO and SEFSC, Federal Financial Assistance and Special Permits, it is hereby determined that the proposed action will not significantly impact the quality of the human environment as described above and in the supporting S-PEA. 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 environmental impact statement for this action is not necessary.

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Acting Regional Administrator
Southeast Region
NOAA Fisheries Service

Date

Clarence Porch, Ph.D.
Science and Research Director
Southeast Fisheries Science Center
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Date