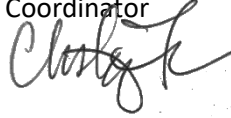




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: October 4, 2023

SUBJECT: Deep-Sea Benefits Monitoring and Adaptive Management Project:
NMFS ESA and MMPA Compliance

Based on my review of project materials including the Biological Evaluation (BE) 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 is covered under previous compliance efforts for the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA) under the jurisdiction of National Marine Fisheries Service (NMFS). Much of the proposed work will take place alongside field activities happening within the Mesophotic and Deep Benthic field activities that were already reviewed and analyzed as necessary.

For activities that were not previously analyzed RC determined there will be no effect to species or habitats protected by the ESA and MMPA and under the jurisdiction of NMFS. Refer to section F of the BE form and the administrative record for additional detail.

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.