UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

August 31, 2020
Refer to NMFS No.: OPR-2020-00697

Holly Smith
Environmental Compliance Officer
2415 Eisenhower Avenue
Alexandria, Virginia 22314

RE: Biological Opinion on the National Science Foundation's Proposed Marine Geophysical Survey of the Aleutian Arc by the Research Vessel Marcus G. Langseth and the Issuance of an Incidental Harassment Authorization by the National Marine Fisheries Service, Permits and Conservation Division, pursuant to Section 101(a)(5)(D) of the Marine Mammal Protection Act

Dear Ms. Smith:

Enclosed is the National Marine Fisheries Service's (NMFS) biological opinion on the effects of the National Science Foundation's (NSF) proposed funding of a high-energy marine geophysical survey by the Research Vessel (R/V) *Marcus G. Langseth* during September and October 2020 in the Aleutian Arc of Alaska on endangered and threatened species under NMFS's jurisdiction and designated critical habitat. This consultation also considers the effects of the NMFS Permits and Conservation Division's issuance of an Incidental Harassment Authorization pursuant to Section 101(a)(5)(D) of the Marine Mammal Protection Act on ESA-listed species and designated critical habitat. We have prepared the biological opinion pursuant to section 7(a)(2) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1536(a)(2)).

Based on our assessment, we concluded that the proposed action may affect, but is not likely to adversely affect the following: Central North Pacific distinct population segment (DPS) and East Pacific DPS of green turtle (*Chelonia mydas*); leatherback turtle (*Dermochelys coriacea*); North Pacific Ocean DPS of loggerhead turtle (*Caretta caretta*); Mexico's Pacific Coast breeding colonies and all other areas of olive ridley turtle (*Lepidochelys olivacea*); lower Columbia River evolutionary significant unit (ESU), upper Columbia River spring-run ESU, Puget Sound ESU, Snake River fall-run ESU, Snake River spring/summer ESU, and Upper Willamette River ESU of chinook salmon (*Oncorhynchus tshawytscha)*; Hood Canal summer-run ESU of chum salmon (*Oncorhynchus keta*); lower Columbia River ESU of coho salmon (*Oncorhynchus kisutch*); Snake River ESU of sockeye salmon (*Oncorhynchus nerka*); lower Columbia River DPS, middle Columbia River DPS, Snake River Basin DPS, upper Columbia River DPS, and upper Willamette River DPS of steelhead trout (*Oncorhynchus mykiss*); and Southern DPS of green sturgeon (*Acipenser medirostris*).

We concluded the proposed action is not likely to jeopardize the continued existence of blue whales (*Balaenoptera musculus)*, fin whales (*Balaenoptera physalus)*, the Western North Pacific population of gray whales (*Eschrichtius robustus*), the Mexico DPS and Western North Pacific DPS of humpback whales (*Megaptera novaeangliae*), North Pacific right whales (*Eubalaena japonica*), sei whales (*Balaenoptera borealis*), sperm whales (*Physeter microcephalus*), and the

Western DPS of Steller sea lions (*Eumetopias jubatus*). We also concluded the proposed action will not destroy or adversely modify designated critical habitat for the Western DPS of Steller sea lions.

This concludes section 7 consultation on this action. The NSF and/or NMFS Permits and Conservation Division are required to reinitiate formal consultation on this action, where the agency retains discretionary involvement or control over the action and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this consultation; or (4) a new species is listed or critical habitat designated that may be affected by the action.

If you have any questions regarding this biological opinion, please contact Soren Dahl, Consulting Biologist, at (301) 427-8496 or soren.dahl@noaa.gov, or me at (301) 427-8495 or cathy.tortorici@noaa.gov.

Sincerely,

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Date: 2020.08.31 15:34:32 -04'00'

Cathryn E. Tortorici
Chief, ESA Interagency Cooperation Division
Office of Protected Resources