



Permit No. 27490

Expiration Date: **August 31, 2035**

## PERMIT TO INCIDENTALLY TAKE ENDANGERED/THREATENED SPECIES

### I. AUTHORIZATION

This Incidental Take Permit (hereinafter "Permit") is issued to the University of Massachusetts Dartmouth School for Marine Science and Technology (SMAST) and any authorized officer, employee, contractor, or agent acting on behalf of SMAST (hereinafter name of applicant or "Permit Holder"), 836 South Rodney French Boulevard; New Bedford, Massachusetts 02744. The Permit Holder is hereby authorized to incidentally take the endangered and threatened species identified in Section III while conducting otherwise lawful fisheries survey activities within and adjacent to the Massachusetts/Rhode Island Wind Energy Area (MA/RI WEA) in southern New England offshore waters from the date of issuance through **August 31, 2035** in the manner specified in the Permit Holder's application and Conservation Plan (hereinafter "CP"). However, the permit will be suspended if a Biological Opinion issues an Incidental Take Statement for this activity or if the underlying project is canceled. If part of the project is canceled, SMAST will contact NMFS to amend the permit accordingly.

This Permit is subject to the provisions of Section 10 of the Endangered Species Act of 1973 (ESA) and its implementing regulations (50 CFR Parts 222 and 223) and the terms and conditions below. All of the terms and conditions described herein are non-discretionary and must be undertaken for the ESA section 10(a)(1)(B) exemptions to apply. Any violation of the ESA, applicable regulations, or of a term and condition of Permit No. 27490 may subject the Permit Holder to the penalties provided in the ESA, including but not limited to the suspension, revocation, or amendment of the Permit.

### II. ABSTRACT

SMAST seeks an ESA section 10(a)(1)(B) Permit to conduct fisheries surveys in the MA/RI WEA before the construction of an offshore wind farm. The surveys aim to establish baseline data on non-ESA-listed fish populations to assess potential impacts of offshore wind development to fisheries resources. The surveys will take place in federal waters within and around the MA/RI WEA. Activities involve deploying bottom-trawl gear to sample fish populations while implementing measures to avoid, minimize, and mitigate the incidental take of ESA-listed species. The trawl survey will be conducted four times per year, during Spring (April-June), Summer (July-September), Fall (October-December), and Winter (January-March).

The ESA-listed species subject to incidental take by the proposed action include the North Atlantic distinct population segments (DPS) of green (*Chelonia mydas*), Kemp's ridley (*Lepidochelys kempii*), and leatherback (*Dermochelys coriacea*) sea turtles; the Northwest Atlantic Ocean DPS of loggerhead (*Caretta caretta*) sea turtles; and the Gulf of Maine, New York Bight, Chesapeake, Carolina, and South Atlantic DPSs of Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*).

SMAST has committed to the following mitigation, monitoring, and minimization measures (see **sections 3.6, "Handling and Care of Protected Species," and 4.2, "Measures to Minimize, Mitigate, and Monitor Protected Species,"** in the ITP application and CP). Additional measures

deemed necessary and appropriate are incorporated into this permit in Section **IV. TERMS AND CONDITIONS** below:

- Deploying trained observers and vessel operation restrictions
- Prompt gear retrieval and reporting
- Short tow durations
- Biological sampling (genetics, tagging) to support research and conservation efforts
- Safe handling protocols for captured ESA-listed species
- Data collection and reporting

### III. INCIDENTAL TAKE AUTHORIZATION

NMFS anticipates the Permit Holder's activities will result in the take of the following species:

#### Endangered

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)

- Carolina DPS
- Chesapeake Bay DPS
- New York Bight DPS
- South Atlantic DPS

Kemp's ridley sea turtle (*Lepidochelys kempii*)

Leatherback sea turtle (*Dermochelys coriacea*)

#### Threatened

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*)

- Gulf of Maine DPS

Green sea turtle (*Chelonia mydas*)

- North Atlantic DPS

Loggerhead sea turtle (*Caretta caretta*)

- Northwest Atlantic Ocean DPS

Authorized levels and type of incidental take are specified below in **Table 1**. Any take must be incidental to the otherwise lawful activities associated with the fisheries survey activities and as conditioned herein. The ITP authorizes take into 2-year rolling periods, meaning the take cannot exceed two individuals in a two-year period. For example, if no sturgeon from the New York Bight DPS are caught in the first two years (0 takes), the total number of take of New York Bight DPS over the life of the project would be 8 (48 total across all DPS).

**Table 1.** Authorized Non-lethal Incidental Take by Species

Species	Authorized 2-year rolling take	Maximum Authorized Take for 10-year ITP duration
<p><b>Atlantic sturgeon</b> (Gulf of Maine, Carolina, Chesapeake Bay, New York Bight, South Atlantic DPSs)</p>	10	50
<p><b>Green</b> (North Atlantic DPS)</p>	2	10
<p><b>Kemp’s ridley</b></p>	2	10
<p><b>Leatherback</b></p>	2	10
<p><b>Loggerhead</b> (Northwest Atlantic Ocean DPS)</p>	2	10

If incidental take (*i.e.*, captures or injuries) of any species identified in **Table 1** reach or exceed the established levels, the Permit Holder must immediately suspend the activities that have caused take levels to be exceeded and consult with NMFS immediately to identify what measures it will impose to prevent future take. The Permit Holder must submit an Incidental Take Report as described in **Section IV.A.2.b.i**. The NMFS Endangered Species Conservation Division may grant authorization to resume permitted activities based on its review of the Incidental Take Report and the terms and conditions below.

**IV. TERMS AND CONDITIONS**

The incidental take of the species identified in Section III is authorized subject to full and complete compliance with, and implementation of, the commitments described in SMAST’s application and CP, which have been incorporated by reference in this Permit, and any additional terms and conditions specified in the Permit.

**A. Conditions to Minimize, Monitor, and Mitigate Impacts to Listed Species**

1. *Management measures to minimize take.* The Permit Holder must implement the minimization measures described in its application and CP and any additional measures deemed by NMFS to be necessary or appropriate. These include:
  - a. *Observers and vessel operations*
    - i. The Permit Holder will require vessels to operate at speeds of less than 10 knots at all times during transit.
    - ii. The Permit Holder will require a designated trained lookout to be posted on all vessel transits and during all phases of the project to observe for protected species and communicate with the captain to take avoidance measures as soon as possible if one is sighted.

1. The Permit Holder will ensure that designated survey staff or vessel crew members onboard the trawl survey vessels have completed the Northeast Fisheries Observer Program (NEFOP-observer) training within the last 5 years, or other equivalent training in protected species identification and safe handling (inclusive of taking genetic samples from Atlantic sturgeon). If the trained lookout is a vessel crew member, this must be their designated role and primary responsibility while the vessel is transiting.
  - a. If the Permit Holder will deploy non-NEFOP trained survey personnel in lieu of NEFOP-trained observers, a plan must be submitted to NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov)) describing the training that will be provided to those survey observers. This Observer Training Plan for Trawl Surveys must be submitted as soon as possible after issuance of this permit, but no later than 15 calendar days prior to the start of trawl surveys for which a non-NEFOP trained observer will be deployed.
    - i. The Permit Holder must obtain NMFS GARFO-PRD's concurrence with this observer training plan prior to the deployment of the non-NEFOP trained observer on any trawl surveys. This plan must include a description of the elements of the training (i.e., curriculum, virtual or hands-on, etc.) and identify who will carry out the training and their qualifications.
    - ii. Once the training is complete, confirmation of the training and a list of trained survey staff must be submitted to NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov)); this list must be updated if additional staff are trained for future surveys. In all cases, a list of trained survey staff must be submitted to NMFS GARFO-PRD at least one business day prior to the beginning of the survey.
  - iii. The Permit Holder will ensure that reference materials for identification, disentanglement, [safe handling, and genetic sampling procedures](#) will be available on board each survey vessel.
  - iv. The Permit Holder will require the following avoidance measures to be implemented on all vessel transits during all phases of the project:
    1. The trained lookout will maintain a vigilant watch and monitor a Vessel Strike Avoidance Zone (500 m) at all times to maintain minimum separation distances from ESA-listed species.
    2. If a large whale is identified within the forward path of any vessel (1 km), the vessel operator will steer a course away from the whale at 10

knots (18.5 km/hr) or less until the minimum separation distance has been established. Vessels may also shift to idle if feasible.

3. If a large whale is sighted within 200 m of the forward path of a vessel, the vessel operator will reduce speed to under 4 knots and steer a course away from the whale. If stationary, the vessel will not engage engines until the large whale has moved beyond 500 m.
- v. The Permit Holder will require the following avoidance measures to be implemented **between June 1 and November 30**:
1. The trained lookout will monitor [seaturtlesightings.org](http://seaturtlesightings.org) prior to each trip and report any observations of sea turtles in the vicinity of the planned transit to all vessel operators/captains and lookouts on duty that day.
  2. If a sea turtle is sighted within 100 m of the operating vessel's forward path, the vessel operator must slow down to 4 knots (unless unsafe to do so) and may resume normal vessel operations once the vessel has passed the sea turtle. If a sea turtle is sighted within 50 m of the forward path of the operating vessel, the vessel operator must shift to neutral when safe to do so and then proceed away from the turtle at a speed of 4 knots or less until there is a separation distance of at least 100m at which time normal vessel operations may be resumed.
  3. The vessel will spend 15 minutes prior to each tow at the sampling station, looking out for sea turtles. If a sea turtle is sighted during transit to a sampling station, during scouting, or while the gear is being prepared and deployed, the vessel will immediately proceed to an alternative tow station away from where the animal was observed.
  4. Vessels will avoid transiting through areas of visible jellyfish aggregations or floating *Sargassum spp.* (brown algae) lines or mats. In the event that operational safety prevents avoidance of such areas, vessels will slow to 4 knots while transiting through such areas.
  5. All vessel crew members will be briefed on the identification of *Sargassum spp.* (brown algae), sea turtles and on regulations and best practices for avoiding vessel collisions.
  6. The Permit Holder will ensure that reference materials are available aboard all project vessels for the identification of sea turtles. The expectation and process for reporting of sea turtles (including live, entangled, and dead individuals) will be clearly communicated and posted in highly visible locations aboard all project vessels, so that there is an expectation for reporting to the designated vessel contact (such as the lookout or the vessel captain), as well as a communication channel and process for crew members to do so.

*b. Gear Recovery*

For any survey gear lost, the Permit Holder will require all reasonable efforts to be undertaken to recover the gear, provided such efforts do not compromise human safety. The Permit Holder will ensure all lost gear is reported to NMFS ([nmfs.gar.incidental-](http://nmfs.gar.incidental-)

[take@noaa.gov](mailto:take@noaa.gov)) within 24 hours of the documented time of missing or lost gear. This report will include information on any markings on the gear, the location of the lost gear, and any efforts undertaken or planned to recover the gear.

*c. Survey Tow Time and Speed*

The Permit Holder must require that the survey tow time for each trawl gear deployment is limited to 20 minutes, with tow speeds ranging between 2.8 and 3.2 knots.

*d. Handling Protocols*

The Permit Holder must ensure that any sea turtles or Atlantic sturgeon caught and retrieved in gear used in fisheries surveys are handled and resuscitated (if unresponsive) by the trained observers according to established protocols (**see section 3.6 Handling and Care of Protected Species of the ITP application/CP**) and whenever at-sea conditions are safe for those handling and resuscitating the animal(s) to do so. Specifically, the Permit Holder will require the following:

- i. Priority will be given to the handling and resuscitation of any sea turtles or sturgeon that are captured in the gear being used, if conditions at sea are safe to do so. Handling times for these species will be minimized to limit the amount of stress placed on the animals.
- ii. All survey vessels must have copies of the [sea turtle handling and resuscitation requirements](#) pursuant to 50 CFR 223.206(d)(1) prior to the commencement of any on-water activity. [These handling and resuscitation procedures](#) must be carried out any time a sea turtle is incidentally captured and brought onboard the vessel during the proposed actions.
- iii. If any sea turtles that appear injured, sick, or distressed are caught and retrieved in fisheries survey gear, survey staff will immediately contact the Greater Atlantic Region Marine Animal Hotline at 866-755-6622 for further instructions and guidance on handling the animal, as well as potential coordination of transfer to a rehabilitation facility.
  - a. If unable to contact the hotline (e.g., due to distance from shore or lack of ability to communicate via phone), the U.S. Coast Guard (USCG) must be contacted via VHF marine radio on Channel 16. If requested, hard-shelled sea turtles (i.e., non-leatherbacks) may be held on board for up to 24 hours following handling instructions provided by the Hotline, prior to possible transfer to a rehabilitation facility.
- iv. Any live, uninjured [sea turtles](#) or [Atlantic sturgeon](#) caught and retrieved in gear used in any fisheries survey will be immediately released according to established protocols for sea turtles and Atlantic sturgeon.
- v. Attempts will be made to resuscitate any Atlantic sturgeon that are unresponsive or comatose by providing a running source of water over the gills as described in the [Sturgeon Resuscitation Guidelines](#).
- vi. Provided that appropriate cold storage facilities are available on the survey vessel, following the report of a dead sea turtle or sturgeon to NMFS, and if NMFS requests, any dead sea turtle or Atlantic sturgeon will be retained on

board the survey vessel for transfer to an appropriately permitted partner or facility on shore as safe to do so.

2. *Monitoring and Reporting.* The Permit Holder must implement the monitoring and reporting measures described in its application and CP and any additional measures deemed by NMFS to be necessary or appropriate. These include:
  - a. *Monitoring Measures.* The Permit Holder must implement the monitoring requirements described in the CP and herein to remain in compliance with the conditions of this permit. This includes:
    - i. The Permit Holder will require a designated trained lookout be posted on all vessel transits during all phases of the project to observe for protected species and communicate with the captain to take avoidance measures as soon as possible if one is sighted, as detailed above in **IV.A.1.a. Observers and vessel operations above.**
    - ii. The Permit Holder must contact NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov)) within 48 hours of beginning and ending each seasonal sampling period (Spring, Summer, Fall, and Winter).
  - b. *Reporting Measures.* All reports generated pursuant to the Permit must be submitted to NMFS's Office of Protected Resources (OPR) via email [PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov) and any additional accounts listed below.
    - i. *24-hour Incidental Take Report (via email: [PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov))*
      - a. All incidental take of the species identified in Section III must be reported within 24 hours of receiving notification of an occurrence.
        - i. Reports of incidental take of such species must also be submitted to the ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov))
        - ii. Reports of incidental take must include:
          1. Survey name and applicable information (e.g., vessel name, station number);
          2. GPS coordinates describing the location of the interaction (in decimal degrees);
          3. Gear type involved (e.g., bottom trawl, trap);
          4. Soak time, gear configuration and any other pertinent gear information;
          5. Time and date of the interaction; and
          6. Identification of the animal to the species level. Additionally, the email must transmit a copy of the [NMFS Take Report Form](#), including the required measurements and photographs (multiple photographs are suggested, with at least one photograph of the head scutes). The animal's condition and any marks or injuries will be described.
          7. If reporting within 24 hours is not possible due to distance from shore or lack of ability to communicate via phone, fax, or email, reports must be submitted as soon

as possible; late reports must be submitted with an explanation for the delay.

- b. In the event of a suspected or confirmed vessel strike of a sea turtle or Atlantic sturgeon, the Permit Holder will immediately call the NMFS New England/Mid-Atlantic Regional Stranding Hotline (866-755-6622). If notification to the hotline to report a sea turtle is not feasible due to communication constraints, the report can be made to the USCG via Channel 16. Additionally, the Permit Holder must report the incident to NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov)) as soon as feasible, but no later than 24 hours from the sighting.
  - i. The report will include the following information:
    1. Time, date, and location (coordinates) of the incident;
    2. Species identification (if known) or description of the animal(s) involved (i.e., identifiable features including animal color, body shape and size);
    3. Vessel strike reporter information (name, affiliation, email for person completing the report);
    4. Vessel strike witness (if different than reporter) information (name, affiliation, phone number, platform for person witnessing the event);
    5. Vessel name and/or MMSI number;
    6. Vessel size and motor configuration (inboard, outboard, jet propulsion);
    7. Vessel's speed leading up to and during the incident;
    8. Vessel's course/heading and what operations were being conducted (if applicable);
    9. Part of vessel that struck the animal (if known);
    10. Vessel damage notes;
    11. Status of survey gear in use at time of strike;
    12. If animal was seen before strike event;
    13. Behavior of animal before strike event;
    14. Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike;
    15. Environmental conditions (e.g., wind speed and direction, Beaufort sea state, cloud cover, visibility) immediately preceding the strike;
    16. Estimated (or actual, if known) size and length of animal that was struck;
    17. Other animal details if known (e.g., length, sex, age class);
    18. Behavior or estimated fate of the animal post-strike (e.g., dead, injured but alive, injured and moving, external visible wounds (linear wounds, propeller wounds, non-

- cutting blunt-force trauma wounds), blood or tissue observed in the water, status unknown, disappeared);
19. To the extent practicable, photographs or video footage of the animal(s); and
  20. Any additional notes the witness may have from the interaction. For any numerical values provided (i.e., location, animal length, vessel length etc.), please provide if values are actual or estimated.

ii. *Quarterly Incidental Take Report (via email):*

[PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov)

- a. All incidental take of the species identified in Section III must be reported quarterly at the end of each survey season (Spring, Summer, Fall, and Winter).
  - i. All quarterly reports must be submitted within 30 calendar days of the end of the survey season following issuance of the Permit (e.g., for the Spring survey season (April-June), the report will be due within 30 days of the end of June).
- b. Quarterly take reports must include:
  - i. A compilation of all ESA-listed species take information reported in 2(b)(i) above;
  - ii. All survey activities that took place during the season, regardless of whether ESA-listed species were observed, including:
    1. Location of gear set; Duration of soak/trawl; Total effort (i.e., number of trawls and tow duration) and
    2. All minimization and mitigation measures that were employed (see IV.A.1. *Management measures to minimize take*, IV.A.2. *Monitoring and Reporting* above, and IV.A.3. *Mitigation Measures* below)

iii. *Annual Incidental Take Report (via email):*

[PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov)

- a. The Permit Holder must submit an annual report to NMFS within 60 days following the end of the sampling season. A year is defined as beginning on April 1st and ending on March 31st.
  - i. Annual Reports must also be submitted to the [nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)
- b. Annual reports must include:
  - i. All information on any observations and interactions with ESA-listed species
  - ii. One or more maps or graphical representations illustrating the geographic distribution of the activities that resulted in the incidental take of covered species and the locations of all observed incidental take.
  - iii. Information on all survey activities that took place during the year, including location of gear set, duration of soak/trawl, total effort. The report on survey activities will be comprehensive of

all activities, regardless of whether ESA-listed species were observed.

- iv. A description of the minimization activities and mitigation activities conducted (see IV.A.1. *Management measures to minimize take*, IV.A.2. *Monitoring and Reporting* above, and IV.A.3. *Mitigation Measures* below).

iv. *Final Incidental Take Report (via email:*

[PR.ESA.incidentaltakepermits@noaa.gov](mailto:PR.ESA.incidentaltakepermits@noaa.gov))

- a. The Permit Holder must submit a final report within one hundred eighty (180) days of the expiration of this Permit, summarizing the total take that occurred under the Permit and whether the species identified in Section III was dead, alive, and the state in which it was released.

3. *Mitigation Measures.* The Permit Holder must implement the mitigation measures described in its application and CP and any additional measures deemed by NMFS to be necessary or appropriate. These include:

- i. *Data Collection*

Any sea turtles or Atlantic sturgeon caught and/or retrieved in any fisheries survey gear will first be identified to species or species group. Each ESA-listed species caught and/or retrieved will then be properly documented using appropriate equipment and data collection forms. Biological data, samples, and tagging will occur as outlined below. Live, uninjured animals will be returned to the water as quickly as possible after completing the required handling and documentation.

1. The [Sturgeon and Sea Turtle Take Standard Operating Procedures](#) will be followed.
2. Fisheries survey vessels will have a passive integrated transponder (PIT) tag reader onboard capable of reading 134.2 kHz and 125 kHz encrypted tags (e.g., Biomark GPR Plus Handheld PIT Tag Reader) and this reader will be used to scan any captured sea turtles and sturgeon for tags. Any recorded tags will be recorded on the take reporting form.
3. Genetic samples will be taken from all captured Atlantic sturgeon (alive or dead) to allow for identification of the DPS of origin of captured individuals and tracking of the amount of incidental take. This will be done in accordance with the [Procedures for Obtaining Sturgeon Fin Clips](#).
4. Fin clips will be sent to a NMFS approved laboratory capable of performing genetic analysis and assignment to DPS of origin. Arrangements will be made for shipping and analysis in advance of submission of any samples; these arrangements will be confirmed in writing to NMFS within 60 days of issuance of an ITP. Results of genetic analysis, including assigned DPS of origin, will be submitted to NMFS within 6 months of the sample collection. The Permit Holder will ensure the availability of funding to process all genetic samples acquired.

5. Subsamples of all fin clips and accompanying metadata form will be held and submitted to the Atlantic Coast Sturgeon Tissue Research Repository on a quarterly basis. [The Sturgeon Genetic Sample Submission Form](#) will be used.
- ii. *Reporting of injured or dead marine mammals, sea turtles, or Atlantic sturgeon (not as a result of SMAST activities) observed during vessel operations*

In the event that an injured or dead marine mammal or sea turtle is sighted, the Permit Holder will immediately call the NMFS New England/Mid-Atlantic Regional Stranding Hotline (866-755-6622). If notification to the hotline to report a marine mammal or sea turtle is not feasible due to communication constraints, the report can be made to the USCG via Channel 16. Additionally, the Permit Holder must report the incident to NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov)) as soon as feasible, but no later than 24 hours from the sighting. Note, the stranding hotline may request that the report be sent to the local stranding network response team.

  1. The report will include the following information:
    - a. Contact information (name, phone number, organization, project, etc.), time, date, and location (coordinates) of the first discovery (and updated location information if known and applicable);
    - b. Time, date, and location (latitude/longitude) of the first discovery (and updated location information if known and applicable);
    - c. Species identification (if known) or description of the animal(s) involved;
    - d. Condition of the animal(s) (including carcass condition if the animal is dead);
    - e. Observed behaviors of the animal(s), if alive;
    - f. If available, photographs or video footage of the animal(s); and
    - g. General circumstances under which the animal was discovered. Staff responding to the hotline call will provide any instructions for handling or disposing of any injured or dead animals, which may include coordination of transport to shore, particularly for injured sea turtles.
- iii. Additionally, trawl survey vessels will have a knife and boathook onboard and disentangle any sea turtles consistent with the [Northeast Atlantic Coast STDN Disentanglement Guidelines](#) and the procedures described in “[Careful Release Protocols for Sea Turtle Release with Minimal Injury](#)” (NOAA Technical Memorandum 580). Any animal in distress will immediately be reported to NMFS New England/Mid-Atlantic Regional Stranding Hotline (866-755-6622).
- iv. Any observations of sea turtles (i.e., not incidentally caught during vessel operations, nor a sighted injured or dead individual) will be reported to [seaturtlesightings.org](http://seaturtlesightings.org) as well as other working vessels in the area. This should be done immediately; however, if not possible due to distance from shore or

lack of internet connection, reports to [seaturtlesightings.org](http://seaturtlesightings.org) must be submitted as soon as possible.

**B. General Permit Conditions**

1. The Permit Holder shall comply with the General Permit Conditions under 50 C.F.R. 222.301 and to the terms and conditions of this Permit. A failure to implement and adhere to the General Permit Conditions and the terms and conditions of this Permit may result in penalties, including but not limited to, the suspension, revocation, or amendment of the Permit in accordance with the applicable laws and regulations (See, e.g., 5 U.S.C. § 558; 50 C.F.R. § 222.306; 15 C.F.R. § 904). Any modification of the Permit will be performed in accordance with the “no surprises” rule (63 FR 8859; February 23, 1998) (50 CFR 222.307(g)).
2. The Permit Holder, SMAST, may not transfer or assign this permit to any other person(s), as person is defined in Section 3(12) of the ESA. This permit is not in force or effective if transferred or assigned to any other person.
3. A copy of this Permit, including the CP, must be available to the Permit Holder’s personnel and contractors. The Permit Holder shall ensure that all applicable provisions of this Permit are presented and clearly explained to all persons carrying out activities covered by this Permit and that said persons are made aware of all applicable requirements.
4. From the date of issuance of this Permit, the Permit Holder shall maintain complete and accurate records of activities that result in the taking, possession, and transportation of any fish or wildlife identified in Section III of this Permit and the disposition of such fish and wildlife. Upon request by the Chief, Endangered Species Conservation Division, the Permit Holder shall make such records available to NMFS or any other person(s) duly designated by NMFS.
5. The Permit Holder will be provided proper handling procedures from NMFS regarding any ESA-listed species covered by this Permit and must exercise all reasonable care when: (a) handling any healthy, sick, or injured specimens to ensure effective treatment and care, and (b) handling any dead specimens to preserve biological material in the best possible state.
6. The Permit Holder must notify NMFS in the event that any ESA-listed species not authorized by this Permit is killed, injured, or collected during the course of the Permit Holder’s activities. Such notification shall be made as soon as possible, but not later than two days after the event. Any animal(s) killed must be retained for scientific analysis in accordance with the proper handling and disposition procedures provided by NMFS. The Permit Holder must then submit a written report to the Office of Protected Resources via email [pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov) describing the circumstances of the unauthorized take. Pending review of these circumstances, NMFS may suspend or amend this permit. In the event of a suspected or confirmed vessel strike of any ESA-listed marine mammal by any vessel associated with the Project, the Permit Holder must immediately report the incident to NMFS GARFO-PRD via the NMFS Greater Atlantic Stranding Hotline (866-755-6622). If notifying GARFO is not feasible due to communication constraints, the report can be made to the USCG via Channel 16.

Separately, the Permit Holder must report the incident to NMFS GARFO-PRD ([nmfs.gar.incidental-take@noaa.gov](mailto:nmfs.gar.incidental-take@noaa.gov)) and NMFS-OPR ([pr.esa.incidentaltakepermit@noaa.gov](mailto:pr.esa.incidentaltakepermit@noaa.gov)) as soon as feasible, but not later than two days after the event.

The report will include the following information:

- Time, date, and location (coordinates) of the incident; Species identification (if known) or description of the animal(s) involved (i.e., identifiable features including animal color, presence of dorsal fin, body shape and size); Vessel strike reporter information (name, affiliation, email for person completing the report); Vessel strike witness (if different than reporter) information (name, affiliation, phone number, platform for person witnessing the event); Vessel name and/or MMSI number; Vessel size and motor configuration (inboard, outboard, jet propulsion); Vessel's speed leading up to and during the incident; Vessel's course/heading and what operations were being conducted (if applicable); Part of vessel that struck the animal (if known); Vessel damage notes; Status of survey gear in use at time of strike; If animal was seen before strike event; behavior of animal before strike event; Description of avoidance measures/requirements that were in place at the time of the strike and what additional measures were taken, if any, to avoid strike; Environmental conditions (e.g., wind speed and direction, Beaufort sea state, cloud cover, visibility) immediately preceding the strike; Estimated (or actual, if known) size and length of animal that was struck; Description of the behavior of the marine mammal immediately preceding and following the strike; If available, description of the presence and behavior of any other marine mammals immediately preceding the strike; Other animal details if known (e.g., length, sex, age class); Behavior or estimated fate of the animal post-strike (e.g., dead, injured but alive, injured and moving, external visible wounds (linear wounds, propeller wounds, non-cutting blunt-force trauma wounds), blood or tissue observed in the water, status unknown, disappeared); To the extent practicable, photographs or video footage of the animal(s); and Any additional notes the witness may have from the interaction. For any numerical values provided (i.e., location, animal length, vessel length, etc.), please provide if values are actual or estimated.
7. A copy of this Permit, including the CP, must be available for inspection, upon request, to an authorized officer or to any other person relying upon its existence.
  8. The Permit Holder is required to ensure that adequate funding exists to implement the CP. Upon request by NMFS OPR, the Permit Holder shall provide documentation demonstrating that adequate funds exist to support implementation of the CP, including but not limited to the production of an annual budget for the CP, identification of funding sources, and steps required to be taken if such funding sources are no longer available.
  9. This Permit does not relieve the Permit Holder or any other individual(s) operating under the authority of this Permit from compliance with other applicable law.

10. Unless authorized by NMFS, the Permit Holder may not transfer or assign this Permit to any other person(s), as person is defined in Section 3(12) of the ESA. Failure to comply with the applicable regulations will render this Permit ineffective and result in a lapse of take coverage.
11. The Permit Holder shall strictly adhere to the Conservation Plan and conditions of this Permit. If the Permit Holder is not implementing or adhering to the Conservation Plan or the conditions of this Permit, then the take authorization provided by this Permit shall not apply.
12. 50 CFR Section 222.23(d)(8) provides for a reasonable fee to be charged to cover the costs of issuance of permits under the ESA. The fee for this permit has been waived.

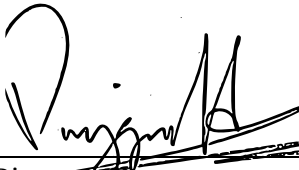
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Kimberly Damon-Randall  
Director, Office of Protected Resources

\_\_\_\_\_  
Date

Acceptance of the Permit serves as evidence that the Permit Holder identified below has read, understands, and agrees to abide by and implement all conditions identified in Permit No. 27490.



\_\_\_\_\_  
Dr. Pingguo He,  
Professor of Fisheries  
Department of Fisheries Oceanography  
School for Marine Science and Technology

09/04/2025  
\_\_\_\_\_  
Date