

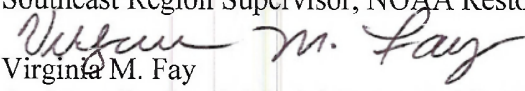


UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
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St. Petersburg, Florida 33701-5505
<http://sero.nmfs.noaa.gov>

March 17, 2014

MEMORANDUM TO: Leslie Craig
Southeast Region Supervisor, NOAA Restoration Center

FROM: 
Virginia M. Fay
Assistant Regional Administrator, Habitat Conservation Division

SUBJECT: Essential Fish Habitat (EFH) assessment review for the proposed Florida Oyster Cultch restoration project for Pensacola Bay, Andrew Bay and Apalachicola Bay, Florida.

In response to the Deepwater Horizon oil spill, the Florida Department of Agriculture and Consumer Services (DACS) proposes to enhance and improve the oyster populations in three Florida bays. This includes the placing a total of 42,000 cubic yards of suitable cultch material over 210 acres of previously constructed oyster bars for the settling of native oyster larvae and oyster colonization. The beds are managed by the DACS. Estuarine mud, sand, and shell substrates and water column will be impacted and are identified and described as EFH under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

As specified in the Magnuson-Stevens Act, EFH consultation is required for federal actions which may adversely affect EFH. As the federal action agency for this matter, NOAA's Restoration Center prepared an EFH assessment for DACS and provided that document for our review by electronic mail dated March 5, 2014. The Southeast Region's Habitat Conservation Division (SER HCD) has reviewed the EFH assessment and finds the Restoration Center adequately evaluated potential project impacts to the federally managed species occurring within the influence of the project. We concur with the determination in the EFH assessment that the restoration is not likely to adversely affect EFH since implementing the project would not result in the creation or conversion of one EFH habitat type to another type. The SER HCD has no EFH conservation recommendations to provide pursuant to Section 305(b)(2) of the Magnuson-Stevens Act at this time. Further consultation on this matter is not necessary unless future modifications are proposed and such actions may result in adverse impacts to EFH.

cc:
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