UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
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JUL 16 2014

F/SER31:NA
SER-2014-13077

MEMORANDUM FOR: F/HC3 – Leslie Craig

FROM: for F/SE – Roy E. Crabtree, Ph.D. Miles M. Croom

SUBJECT: DWH-ERP, NOAA RC, Florida Gulf Coast Marine Fisheries Hatchery/Enhancement Center Pensacola, Escambia County, Florida

This memo responds to the National Oceanic and Atmospheric Administration (NOAA) Restoration Center's (RC) January 30, 2014, letter requesting National Marine Fisheries Service (NMFS) concurrence under Section 7 of the Endangered Species Act (ESA) for a project-effects determination for a Marine Fisheries Hatchery/Enhancement Center project comprising the Deepwater Horizon Oil Spill Draft Phase 3 Early Restoration Plan (DERP). The NOAA RC, a lead federal agency, is requesting consultation on behalf of the natural resource trustees for the Deepwater Horizon oil spill. You requested concurrence from NMFS with your determinations that the project may affect, but is not likely to adversely affect, Gulf sturgeon, 5 species of sea turtles (loggerhead, Kemp's ridley, green, leatherback, and hawksbill), smalltooth sawfish, and designated Gulf sturgeon critical habitat within Pensacola Bay Unit 9 in the Gulf of Mexico (GOM). NMFS requested additional information from the applicant/natural resources trustee, Florida Fish and Wildlife Conservation Commission (FWC), via email on February 10 and 12, 2014; March 21 and 27, 2014; and April 3 and 10, 2014. We received the responses on February 10 and 12, 2014; March 17, 21, and 27, 2014; and April 3, 9, and 10, 2014. We initiated consultation on April 10. NMFS's determinations regarding the effects of the proposed action are based on the description of the action in this informal consultation. Any changes to the proposed action may negate the findings of the present consultation and may require reinitiation of consultation with NMFS.

Deepwater Horizon Oil Spill Early Restoration
Under the Oil Pollution Act, designated agencies of the federal government and affected state governments act as trustees on behalf of the public. The Trustees are charged with recovering damages from the responsible parties to restore the public's natural resources that sustained injuries. NOAA shares trusteeship with the other natural resource trustees over all of the resources that will benefit from these restoration actions. The Trustees developed the Early Restoration selection process to be responsive to the purpose and need for conducting Early Restoration. Early Restoration project selection is a step-wise process comprised of: (1) project solicitation; (2) project screening; (3) negotiation with BP; and (4) public review and comment.

The Trustees released a Phase I Early Restoration Plan (ERP) in April 2012, a Phase II ERP in December 2012, and a draft Phase III ERP on May 6, 2013. On June 26, 2014, the Trustees

released a final Phase III Plan. These plans contain a series of restoration actions that may be selected independently by the Trustees. NMFS has previously completed consultations on the Phase I ERP projects and 14 of the projects included in the Phase III ERP.[1]

The Phase I ERP consists of 8 projects that address an array of injuries and are located throughout the Gulf (See Appendix 1). Specifically, Phase I includes 2 oyster projects (1 in Louisiana and 1 in Mississippi), 2 marsh projects (1 in Louisiana and 1 in Alabama), 1 nearshore artificial reef project in Mississippi, 2 dune projects, and a boat ramp enhancement project in Florida. Consultation on the Phase I projects was completed on April 2, 2012. NMFS determined that one of the marsh projects and both dune projects would have no effect on listed species and that other projects are not likely to adversely affect listed species or designated critical habitat under NMFS's purview. NMFS evaluated potential impacts on listed species (5 species of sea turtles, Gulf sturgeon and smalltooth sawfish) from placement of material, site exclusion, and dredging, and determined that these effects will be discountable or insignificant because of the species' mobility and ability to find suitable habitat for foraging in the surrounding areas. NMFS also evaluated potential impacts to sea turtles and Gulf sturgeon from fishing activities associated with the artificial reef project and determined that the effects are discountable because the enhancement of the existing artificial reefs is not expected to induce new fishing effort or increase the risk of harmful interactions between recreational fishers and listed species. The boat ramp project will enhance 2 existing boat ramps and allow an additional 92 vessels to be launched from 2 new public boat ramps. The purpose of these projects is to relieve traffic and congestion at other boat ramps in the areas. NMFS determined that any increase in vessel strike risk to sea turtles is discountable because the new boat ramps are likely to be used by people who currently have vessels and a previous NMFS analysis concluded that a typical dock or marina project in Florida that introduces less than 300 new vessels to an area will have an insignificant or discountable effect on sea turtles.

Three of the Phase I projects (1 boat ramp, 1 oyster project, and 1 nearshore artificial reef project) are located in Gulf sturgeon critical habitat. The boat ramp is located in Unit 9, and the oyster project and artificial reef project are located in Unit 8. NMFS determined that the boat ramp project is not likely to adversely affect Gulf sturgeon critical habitat in Unit 9 because the construction will occur in the same footprint and will be to the same dimensions as the existing piers, any increases in turbidity are expected to be localized and temporary and insignificant, and the texture and quality of the sediments and its ability to support prey items are expected to be the same pre- and post-project. NMFS similarly concluded that oyster project and artificial reef project will not adversely affect Gulf sturgeon critical habitat in Unit 8 because the placement of clean, toxin-free material will not alter the water or sediment quality and the addition of this material to existing hardbottom will not alter prey availability.

To date, NMFS has completed consultations on 14 Phase III projects (See Appendix 2). These projects are 4 artificial reef projects (3 in Texas and 1 in Florida), 2 oyster projects (1 in Florida and 1 in Alabama), 4 living shoreline projects (1 in Alabama, 1 in Mississippi and 2 in Florida), a scallop enhancement project in Florida, a Florida beach enhancement project, a North Breton Island, Louisiana, restoration project, and a Mississippi fishing pier project. As with the Phase I

[1] Neither of the Phase II ERP projects involve in-water work and, therefore, NMFS did not receive a request for section 7 consultation.

projects, NMFS evaluated potential impacts on listed species (5 species of sea turtles and Gulf sturgeon) from placement of material, site exclusion, and dredging, and determined that these effects will be discountable or insignificant because of the species' mobility and ability to find suitable habitat for foraging in the surrounding areas. NMFS also evaluated the impacts of noise created from construction, where applicable, and determined that the risk of short- or long-term exposure to harmful noise is discountable, and any sounds heard by them will have insignificant health effects. NMFS determined that the potential impacts to sea turtles and Gulf sturgeon from fishing activities associated with the 4 artificial reef projects are discountable because the enhancement of the existing artificial reefs is not expected to induce new fishing effort. NMFS also determined that the risk of vessels strike impacts to turtles from future use of the artificial reef sites is discountable because use of the site will generally coincide with fair weather patterns and calm sea states that will allow boaters to detect and avoid any sea turtles in their path.

Seven of the Phase III projects (3 living shoreline projects, the beach enhancement project, the Florida oyster reef project, the scallop enhancement project, and the Florida artificial reef project) are located in Gulf sturgeon critical habitat. The living shoreline projects are located in Units 8, 9, and 13. The beach enhancement project is located in Unit 11, the oyster project is located in Units 9 and 13, the scallop enhancement project is located in Units 9, 10, 12, and 13, and the artificial reef project has a component located in Unit 11. NMFS determined that the scallop enhancement project will have no effect on Gulf sturgeon critical habitat and that the other projects are not likely to adversely affect the essential features of Gulf sturgeon critical habitat (water quality, sediment quality, prey abundance, and safe and unobstructed migratory pathways). The oyster reef project will place clean, non-toxic material over existing hardbottom, which will make any impacts to water quality, sediment quality, or prey abundance discountable. The beach enhancement project will improve sediment quality and effects to prey abundance, water quality and migratory pathways will be insignificant because the work will take place in shallower water than normal foraging depths, any increased turbidity will be temporary and within natural background levels, and sand placement in the shallow waters along the beach will not interfere with migration. The artificial reef project will have no effect on sediment quality. The effects to water quality and prey abundance will be insignificant because turbidity will be temporary and within natural background levels, and reef placement may result in moving prey items outside the footprint of the artificial reef but will not reduce prey availability overall in the areas surrounding the modules. Any impacts to migratory pathways will be discountable because the reef structures are in open water and spaced out sufficiently for Gulf sturgeon to move. Last, the living shoreline projects may temporarily increase turbidity and displace some prey species but these impacts are expected to be insignificant. With respect to prey abundance, the living shoreline projects are expected to have long-term beneficial impacts by increasing prey abundance in adjacent areas.

Current Project

This project is part of the Phase III ERP and is designed to enhance recreational fishing opportunities through aquaculture in Pensacola Bay, Escambia County, Florida, at 30.402530°N, 87.221900°W, North American Datum 1983, (Figure 1). The FWC proposes to construct and operate a saltwater sportfish hatchery on a 10-acre vacant lot in Pensacola, Escambia County, Florida (Figure 2). The project footprint is a 40-foot (ft) (12.2 meter [m]) by 40-ft (12.2 m) square having an area of 1,600 square feet (ft^2) (148.8 square meters [m^2], or 0.03677 acre) that

may lie anywhere within a 630-ft-wide (192-m) by 1076-ft-long (328-m) rectangle having an approximate area of 673,367 ft^2 (62,558 m^2, 15.5 acre) in the inter- and sub-tidal zone within Pensacola Bay. The project is located within Gulf sturgeon critical habitat Unit 9 (68 FR 13370, March 19, 2003) and is approximately 8.7 miles (mi) (14.1 kilometers [km] or 7.6 nautical miles [NM]) northeast of proposed loggerhead critical habitat LOGG-N-33 (78 FR 43005, July 18, 2013).

Figure 1. Image of the proposed project area, indicated by the yellow dot within Pensacola Bay; Gulf sturgeon critical habitat Unit 9 - Pensacola Bay (red polygon); and proposed loggerhead critical habitat Unit LOGG-N-33 (pink polygon).

The in-water construction will be limited to the development of a seawater supply system for the hatchery and involves several components:

i. The survey of potential areas for the riser
ii. The assessment and monitoring work in-water during drilling
iii. The verification and checking during seabed pipe installation
iv. The in-water installation of the riser and
v. The installation of the impingement and entrainment control screen

A directional drill located in the upland area (i.e., above the mean high water line) will bore horizontally, through the sand and loose silt sediment, under the seafloor and out into inter- and sub-tidal zones of Pensacola Bay. The 8-inch (in) seawater supply intake pipe will emerge within the boundaries of the identified area, marked as the green polygon in Figure 2, at a water depth of -7 to -14 ft (-2.1 to -4.3 m) mean lower low water (MLLW). The location of the 8-in-diameter pipe riser will be determined by the seawater characteristics (e.g., salinity and

temperature) required for the hatchery and the pipe section will extend approximately 1-2 ft above the seafloor.

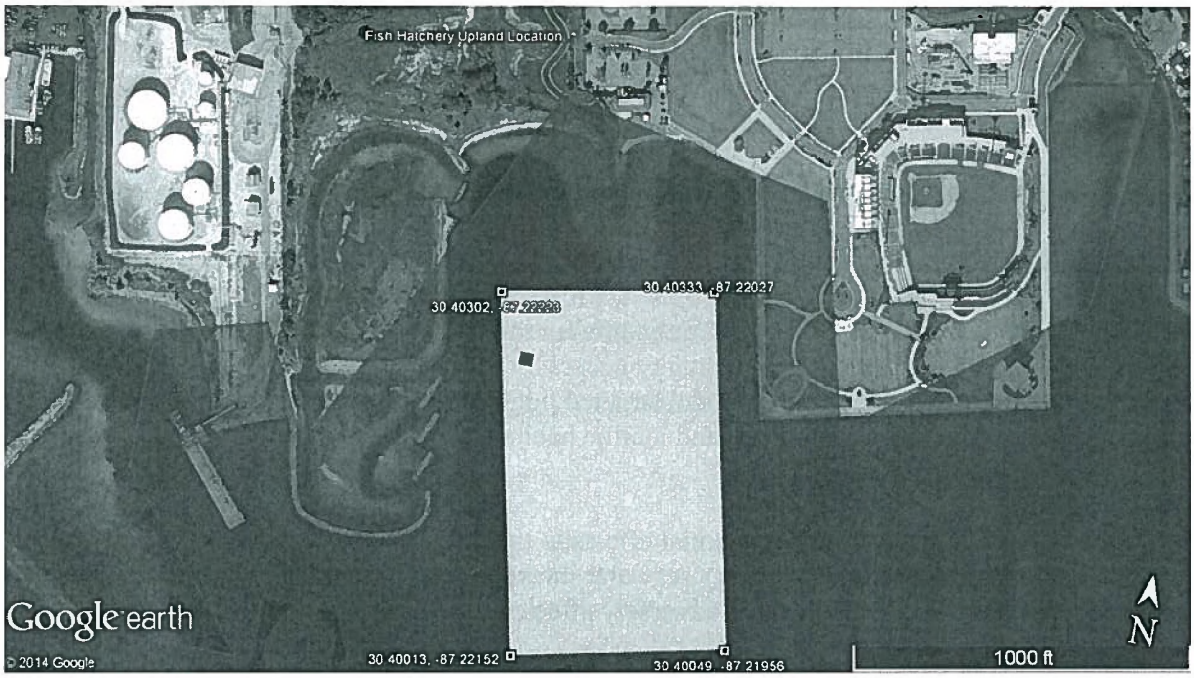

Figure 2. Image of the 40-ft x 40-ft footprint (blue square) within the 630-ft x 1,076-ft area (green rectangular polygon)

During the attachment of the vertical riser, a 40-ft by 40-ft (12.2-m by 12.2-m) square with a 1,600-square foot (ft^2) (149 square meter [m^2]) area of the seafloor, identified as the blue polygon in Figure 2, will be temporarily disturbed to expose the supply pipe and complete the connection. This seawater intake riser will have a screened opening to prevent the impingement and entrainment of listed species. While the specific screening device could not be identified based on procurement requirements, the FWC has agreed and ensured the incorporation of a pre-designed intake screen, such as the Kleen Screen model KS15,[2] with specifications that will not exceed the 15 centimeters per second (cm/s) (or 0.5 feet per second [ft/s]) velocity threshold in order to avoid seawater intake impingement and entrainment of listed species.

No submerged aquatic vegetation are present at project sites, but if encountered they will be avoided. At the end of the in-water activity, the seafloor will be reestablished to pre-construction specifications and original grade. Construction crews will follow NMFS's *Sea Turtle and Smalltooth Sawfish Construction Conditions*, dated March 23, 2006 (enclosed). The duration of work for establishing this in-water supply source of seawater will be no more than 3 months to complete the project.

NMFS believes leatherback and hawksbill sea turtles will not be present, thus, they will not be affected, because their very-specific foraging and life history requirements are not met in or near

[2] Http://www.kleenscreen.com/downloads/KS_Overall.pdf with the link to text stating "Small hole size and low intake velocity KSO line is standard with a 0.9-mm mesh, KSR with 0.6 mm and KSE with 2.3 mm. The velocity through the mesh into the screen is less than 0.15 m/s."

the action areas. The leatherbacks are deepwater, pelagic species and the hawksbills are associated with coral reefs. We also believe, due to the infrequent (i.e., fewer than 1 per year) reported sightings of smalltooth sawfish in the proposed project areas, smalltooth sawfish are not likely to be present, thus will not be affected by project activities.[3] The proposed project is located approximately 8.7 mi (14.1 km, 7.6 NM) from proposed loggerhead critical habitat Unit LOGG-N-33, thus it will not be affected by project activities.

Three ESA-listed species of sea turtles (Kemp's ridley; the threatened/endangered[4] green; and the threatened loggerhead) and the threatened Gulf sturgeon can be found in or near the action area and may be affected by the project. The proposed project is located within designated Gulf sturgeon critical habitat Unit 9 (Pensacola Bay), which could also be affected. The features essential for the conservation of Gulf sturgeon present in Unit 9 include the following: abundant prey items; water quality and sediment quality necessary for normal behavior, growth, and viability of all life stages; and safe and unobstructed migratory pathways necessary for passage within and between riverine, estuarine, and marine habitats.

Species Effects
NMFS has identified the following potential effects to the three ESA-listed sea turtles and Gulf sturgeon from the proposed fish hatchery seawater intake pipe in Escambia County and concluded that they are not likely to be adversely affected.

1. Sea turtles may be temporarily unable to use the site for forage or refuge habitat due to potential avoidance of seawater intake pipe and pre-designed intake screen activities, but this effect will be insignificant, given the short duration of the in-water work. Also, the project site is unremarkable in that it consists of sand and loose silt that is unlikely to attract sea turtles because it lacks physical features (e.g., bottom features such as ledges, fauna, and/or vegetation) which could be used for foraging or shelter.

2. Gulf sturgeon foraging could be adversely affected by sand displacement and the increase in suspended sediments (i.e., turbidity) in the immediate vicinity of the project sites due to the in-water work. In spite of the increases in turbidity and the alterations in benthic topography, these effects will be temporary, highly localized, and contained within turbidity curtains of the 1,600-ft^2 project area, thus we believe they are insignificant.

3. Gulf sturgeon foraging success could be adversely affected by the temporary exclusion from the project areas for foraging or use as refuge habitat due to potential avoidance of construction activities and related noise, but these effects will be insignificant because there are equally suitable forage and refuge habitat around the project areas. The project consists of 5 components (refer to in-water construction of the seawater supply system, page 2) but only

[3] NMFS. 2006. Recovery Plan for Smalltooth Sawfish *(Pristis pectinata)*. Prepared by the Smalltooth Sawfish Recovery Team for the National Marine Fisheries Service, Silver Spring, MD.
[4] Green turtles are listed as threatened, except for breeding populations in Florida and the Pacific coast of Mexico, which are listed as endangered.

components iii., iv., and v. require turbidity curtain for the in-water components which make up a portion of the 3-month window. Gulf sturgeon are opportunistic feeders that forage over large distances and thus will be able to locate prey throughout Unit 9 in areas unaffected by this action and in available sandy areas adjacent to those impacted by this project. Consequently, due to the short duration (i.e., less than 3 months) of the project, the species' ability to avoid disturbed areas, and the availability of suitable alternate habitat nearby, project site avoidance or use of turbidity curtains should not significantly affect their foraging success.

4. Gulf sturgeon could be adversely affected through impingement or entrapment in the 8-in-diameter seawater intake pipe. However, FWC will use a screening device on the seawater intake pipe, with a through-screen velocity not exceeding 15 cm/s (0.5 ft/s), thus the risk of listed species being entrained and trapped in the seawater intake will be discountable.

Based on the above analyses, all habitat-related effects to sea turtles, and Gulf sturgeon, will be insignificant or discountable. Based on this information, this project is not likely to adversely affect species under our jurisdiction.

NMFS has also considered the effects of this project in conjunction with the effects associated with the Phase I and Phase III projects that have previously undergone Section 7 consultations and concludes there are no additive effects of the overall projects that rise above the level of effects considered for each of the individual projects. The potential impacts to listed species from construction activities are limited in time and place, and cease to exist once the project is complete, and none of the early restoration projects consulted on to date include activities that present impingement or entrapment concerns for Gulf sturgeon.

Critical Habitat Effects

NMFS believes the project is not likely to adversely affect Gulf sturgeon critical habitat in Unit 9. Of the 4 essential features of critical habitat (sediment quality, water quality, prey abundance, and safe and unobstructed migratory pathways), the latter 3 may be affected, but these effects will be insignificant. Sediment quality at the site will be unchanged pre- and post-construction.

1. Water quality impacts from project activities will be insignificant. The project activities are limited to a short-term elevation in suspended sediments (i.e., turbidity) in the immediate vicinity of the project site associated with the placement of the seawater intake pipe in the water. Moreover the water transparency in the project area is naturally variable, affected by the passage of frontal systems, wind waves, storms, strong tides, and commercial fishing (e.g., shrimp trawling activities). The overall suspended sediment levels in Gulf sturgeon critical habitat Unit 9 will not be measurably affected and the effects are insignificant.

2. Gulf sturgeon prey abundance (and consequently, sturgeon foraging success and energy expenditures) will be insignificantly affected within the temporarily affected

1,600-ft^2 (149 m^2) (0.037 acre) area because ample alternate comparable Gulf sturgeon prey exists in and contiguous to the affected areas. Gulf sturgeon will still be able to forage around the intake riser structure. The amount of bottom acreage (potential forage habitat) affected by the placement and permanent presence of the seawater intake structure is a very small fraction of Unit 9. The 8-in-diameter pipe occupies 1.39 ft^2 (0.1297 m^2) of the 4,099,562,280 ft^2 (380,861,798 m^2) of critical habitat Unit 9, which equals $3.41x10^{-8}$% alteration of foraging habitat to Gulf sturgeon in that critical habitat unit. The prey availability overall in the immediate area is not adversely affected. The 8-in-diameter pipe in the sediment in critical habitat would preclude sturgeon from feeding within the footprint of the pipe, and sinking the pipe might result in killing some prey items, but it would not adversely affect prey availability overall in the areas surrounding the pipe. The pipe might only result in moving prey items outside the footprint of the pile, which would still allow foraging next to the pile; thereby, serving the feeding function of the critical habitat. Additionally, sturgeon are opportunistic feeders, known to forage over large areas. Ample alternate similar habitat exists at, nearby, and immediately adjacent to the project site. Sturgeon will be able to locate prey throughout Unit 9 in areas unaffected by this action and in available sandy areas adjacent to those impacted by this project.

3. Migratory pathways will be insignificantly affected because, by virtue of the seawater intake pipe's small size and placement in an open area, it will not appreciably interfere with Gulf sturgeon migrations.

Any impacts to essential features will be insignificant and the action is not likely to adversely affect the ecological value or functioning of the critical habitat unit.

NMFS has also considered the effects of this project on Gulf sturgeon critical habitat in conjunction with the effects associated with the Phase I and Phase III projects that have previously undergone Section 7 consultations. We conclude there are no additive effects of the overall projects that rise above the level of effects considered for each of the individual projects. The potential impacts to water and sediment quality from construction activities associated with all of these projects are localized and temporary. Similarly, any impacts to prey abundance will be localized and although some projects may displace some prey species, none are expected to reduce overall prey abundance in the project area or critical habitat unit as prey species can quickly recolonize the project areas after construction. Last, there are no impacts to migratory pathways expected as a result of the Phase I boat ramp project or Phase III living shoreline and oyster clutch projects, each of which contain components in Gulf sturgeon critical habitat Unit 9.

Summary

Finally, we concur with your project-effect determinations that the Florida Gulf Coast Marine Fisheries Hatchery/Enhancement Center Project is not likely to adversely affect Kemp's ridley, loggerhead, and green sea turtles; Gulf sturgeon; and Gulf sturgeon critical habitat.

This concludes the NOAA Restoration Center's consultation responsibilities under the ESA for species under NMFS's purview. Consultation must be reinitiated if a take occurs or new

information reveals effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an adverse effect to the listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.

We have enclosed additional relevant information for your review. We look forward to further cooperation with you on other projects to ensure the conservation of our threatened and endangered marine species and designated critical habitat.

If you have any questions on this consultation, please contact Nicolas Alvarado, Consultation Biologist, at (727) 209-5955, or by email at Nicolas.Alvarado@noaa.gov.

Sincerely,

Roy E. Crabtree, Ph.D.
Regional Administrator

Attachments:

1. *Sea Turtle and Smalltooth Sawfish Construction Conditions* (Revised March 23, 2006)
2. *PCTS Access and Additional Considerations for ESA Section 7 Consultations* (Revised June 11, 2013)

File: 1514-22.C

Appendix 1 Phase I Early Restoration Plan Projects with corresponding Public Consultation Tracking System (PCTS)

Ref.	PCTS Tracking #	Project	Description	Determinations
P1-1	SER-2012-889	Lake Hermitage Marsh Creation – NRDA Early Restoration Project	Project proposed involves the creation of marsh within the project footprint of the larger Lake Hermitage Marsh Creation Project. The primary goals of the Project are: (1) to restore the eastern Lake Hermitage shoreline to reduce erosion and prevent breaching into the interior marsh, and (2) to re-create marsh in the open water areas south and southeast of Lake Hermitage. The marsh creation project will substitute approximately 104 acres of created brackish marsh for approximately 5-6 acres (7,300 linear feet) of earthen terraces.	Project is not likely to adversely affect sea turtles or Gulf sturgeon. The project is not located in designated critical habitat. All activities associated with the Lake Hermitage Restoration project are outside the known range of Gulf sturgeon. Sea turtles are not likely to be at the dredge site in the Mississippi River, which is 70 miles from the Gulf of Mexico. Additionally, sea turtles are not likely to be at the marsh restoration site.
P1-2	SER-2012-889	Louisiana Oyster Cultch Project	Project involves (1) the placement of oyster cultch onto approximately 850 acres of public oyster seed grounds throughout coastal Louisiana, and (2) construction of an oyster hatchery facility that will produce supplemental larvae and seed. The project consists of placing oyster cultch material on public oyster seed grounds to produce seed- and sack-sized oysters to compensate the public for impacts to oyster areas exposed to oil, dispersant, and response activities.	Project is not likely to adversely affect sea turtles or Gulf sturgeon. The project is not located in designated critical habitat.
P1-3	SER-2012-889	Mississippi Oyster Cultch Restoration	Project consists of placing oyster cultch material on public oyster seed grounds in the footprint of existing oyster cultch areas to produce seed- and sack-sized oysters to compensate the public for impacts to oyster areas exposed to oil, dispersant, and response activities.	Project is not likely to adversely affect sea turtles, Gulf sturgeon, or Gulf sturgeon critical habitat.
P1-4	SER-2012-889	Mississippi Artificial Reef Habitat	Project includes the deployment of artificial reefs in bays and nearshore Mississippi Sound waters in and off of Hancock, Harrison, and Jackson Counties, Mississippi	Project is not likely to adversely affect sea turtles, Gulf sturgeon, or Gulf sturgeon critical habitat.
P1-5	SER-2012-889	Marsh Island (Portersville Bay) Marsh Creation	Project involves the addition 50 acres of salt marsh to the existing 24 acres along Marsh Island in the Portersville Bay portion of Mississippi Sound in south Mobile County, Alabama. This entails the construction of a permeable segmented breakwater, the placement of sediments, and the planting of native marsh vegetation.	Project is not likely to adversely affect sea turtles or Gulf sturgeon. The project is not located in designated critical habitat.
P1-6	SER-2012-889	Alabama Dune Restoration Cooperative Project	Project will restore 55 acres of dune habitat by installing sand fencing and planting native dune vegetation in Orange Beach and Gulf Shores, Alabama	Project will have no effect on listed species or designated critical habitat under NMFS jurisdiction. NMFS does not believe there will be any direct or indirect effects to our listed species or designated critical habitat, as all activities will occur solely in upland areas.
P1-7	SER-2012-889	Florida Boat Ramp Enhancement and Construction Project	Project will entail repairing the existing Navy Point Park public boat ramp, located in a developed residential area in Pensacola Bay, and constructing the new Mahogany Mill public boat ramp that will be located in a commercial and industrial area in Pensacola Bay	Project is not likely to adversely affect sea turtles, Gulf sturgeon, smalltooth sawfish, or Gulf sturgeon critical habitat. The Navy Point project is not likely to adversely affect Gulf sturgeon critical habitat in Unit 9, Pensacola Bay. The remaining boat ramp projects are not located in designated critical habitat.
P1-8	SER-2012-889	Florida (Pensacola Beach) Dune Restoration	Native dune vegetation will be planted on the primary dune on Pensacola Beach in Escambia County, Florida	This project will have no effect on listed species or designated critical habitat under NMFS jurisdiction. NMFS does not believe there will be any direct or indirect effects to listed species or designated critical habitat, as all activities will occur solely in upland areas.

Appendix 2 Phase III Early Restoration Plan Projects with corresponding Public Consultation Tracking System (PCTS)

Reference	PCTS Tracking #	Project	Description	Determinations
P3-1	SER-2014-12910	Texas Artificial Reefs Corpus	3 projects are designed to install artificial reefs in Texas coastal waters. They are not located within designated Gulf sturgeon critical habitat, or proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed actions are not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles).
P3-2	SER-2014-12916	Texas Artificial Reefs Freeport		
P3-3	SER-2014-12920	Texas Artificial Reefs Matagorda		
P3-4	SER-2014-12924	Alabama Oyster Cultch	The applicant proposes to restore and enhance 319 acres of oyster reefs within historic footprint of oyster reefs in Mobile Bay. It is not located within any designated or proposed critical habitat.	The project effects determination of the proposed actions are not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles, or Gulf sturgeon).
P3-5	SER-2014-12925	Hancock County Living Shorelines	The applicant proposes to reduce shoreline erosion and restore oyster and marsh habitat by (1) use of breakwater materials to reduce shoreline erosion, (2) creation of 46 acres of salt marsh, and (3) enhancement of 46 acres of oyster reef habitat that have historically supported oyster habitat. It is located within designated Gulf sturgeon critical habitat Unit 8, but not within proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed action are not likely to adversely affect ESA listed species Kemp's ridley, loggerhead, or green sea turtles, or Gulf sturgeon) or designated Gulf sturgeon critical habitat. Leatherback and hawksbill sea turtles were withdrawn.
P3-6	SER-2014-12926	Swift Tract Living Shorelines	The applicant proposes to reduce shoreline erosion by creating breakwaters (8,500 ft) from natural materials (15,800 tons of riprap and 2,200 yd^3 of bagged oyster shell). Covering 2.9 acres of fine-grained sediment. It is not located within any designated or proposed critical habitats.	The project effects determination of the proposed action are not likely to adversely affect ESA listed species Kemp's ridley, loggerhead, or green sea turtles, or Gulf sturgeon). Leatherback and hawksbill sea turtles were withdrawn.
P3-7	SER-2014-13016	FL Pensacola Bay Living Shorelines	The applicant proposes to reduce shoreline erosion by expanding existing breakwaters at 2 sites (25,000 tons of riprap, covering 5 acres of fine-grained sediment total) and backfilling marsh areas with 102,000 yd^3 of fill, total. It is located within designated Gulf sturgeon critical habitat Unit 9, but not within proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed action are not likely to adversely affect ESA listed species Kemp's ridley, loggerhead, or green sea turtles, smalltooth sawfish, or Gulf sturgeon) or designated Gulf sturgeon critical habitat. Leatherback and hawksbill sea turtles and smalltooth sawfish were withdrawn.
P3-8	SER-2014-13083	FL Cat Point Living Shorelines	The applicant proposes to reduce shoreline erosion by expanding an existing breakwater structure (up to 0.3 miles) and creating 1 acre of salt marsh habitat. It is located within designated Gulf sturgeon critical habitat Unit 13, but not within proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed action are not likely to adversely affect ESA listed species Kemp's ridley, loggerhead, or green sea turtles, smalltooth sawfish, or Gulf sturgeon) or designated Gulf sturgeon critical habitat. Leatherback and hawksbill sea turtles and smalltooth sawfish were withdrawn.

P3-9	SER-2014-13017	Beach Enhancement Project at Gulf Island National Seashore	The applicant proposes to remove fragments of asphalt and road-base material from a long, thin area approximately 20 feet (ft) by 2 miles long (211,200 ft^2 or 4.8 acres) in the inter- and sub-tidal zone within the GUIS. The project is located within Gulf Sturgeon Critical Habitat Unit 11 and is approximately 4 miles east of Proposed Loggerhead Critical Habitat Unit LOGG-N-33.	The project effects determination of the proposed action is not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles, or Gulf sturgeon) or designated, or proposed critical habitats for these species.
P3-10	SER-2014-13018	North Breton Island Restoration	The applicant proposes to dredge 3.7 million cubic yards (yd^3) (2.8 x 10^6 cubic meters (m^3)) of sand, silt, and clay materials, using a cutterhead dredge, from 1 or more sites within offshore shoals borrow sites from a water depth range of 6-20 feet (ft) or 1.8-6.1 meters (m) deep mean lower low water (MLLW). The in-water project footprint is 38 square miles (mi^2) or 98.4 square kilometers (km^2); 41.4 mi^2 (or 106.4 km^2) including proposed North Breton Island restoration The project is not located within Gulf sturgeon critical habitat, or proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed action is not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles, or Gulf sturgeon).
P3-11	SER-2014-13026	MS Popp's Ferry Causeway Park	The applicant proposes to install 4 fishing piers and 1 overlook pier, covering approximately 5,000 ft^2 of open water with vibratory hammering. It is not located within any designated or proposed critical habitat.	The project effects determination of the proposed action are not likely to adversely affect ESA listed species Kemp's ridley, loggerhead, or green sea turtles, or Gulf sturgeon). Leatherback and hawksbill sea turtles were withdrawn.
P3-12	SER-2014-13079	FL Oysters Cultch	The applicant proposes to restore and enhance oyster populations in Pensacola and Apalachicola Bays in FL (total placement of 42,000 yd^3 of cultch material over 210 acres of previous oyster reefs). It is located within designated Gulf sturgeon critical habitat Units 9 and 13. It is not located in proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed actions are not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles, or Gulf sturgeon) or Gulf sturgeon designated critical habitat.
P3-13	SER-2014-13080	FL Scallop Enhancement	The applicant proposes to restore and enhance scallop production by the placement of scallop spat into FL coastal waters. It is located within designated Gulf sturgeon critical habitat Units 9, 10, 12, and 13. It is not located in proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed actions are not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles, smalltooth sawfish, or Gulf sturgeon) and no effect on Gulf sturgeon designated critical habitat.
P3-14	SER-2014-13081	FL Artificial Reef	The applicant proposes to build and deploy artificial reefs offshore in Florida coastal waters in 5 Florida counties (Escambia, Santa Rosa, Okaloosa, Walton, and Bay Counties). The project spans 123 miles (107 nautical miles [NM] or 198 kilometers [km]) along the coast of Florida in the nearshore as well as the offshore zone. Some project sites are located within Gulf sturgeon critical habitat Unit 11, although there are no sites in proposed loggerhead sea turtle critical habitat.	The project effects determination of the proposed actions are not likely to adversely affect ESA listed species (leatherback, Kemp's ridley, hawksbill, loggerhead, or green sea turtles) and are not likely to adversely affect Gulf sturgeon critical habitat Unit 11.