

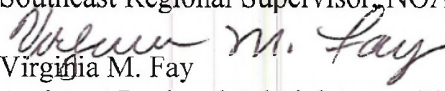


UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
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St. Petersburg, Florida 33701-5505
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March 17, 2014

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

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

SUBJECT: Essential Fish Habitat (EFH) assessment review for the Florida Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements – Cash Bayou project, Franklin County, Florida.

In response to the Deepwater Horizon oil spill, the Florida Fish and Wildlife Conservation Commission (FWCC) proposes to construct a fishing and wildlife observation structure and a parking area with an entrance kiosk and information station in and adjacent to Cash Bayou off the Apalachicola River. 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 the FWCC 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. The structure will comply with the *Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat* (U.S. Army Corps of Engineers/ National Marine Fisheries Service, 2001). We concur with the EFH assessment that the project is not likely to adversely affect EFH and disturbance to any EFH will be brief and insignificant. 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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