



MEMORANDUM FOR: FILE

FROM: Christy Fellas, DWH Environmental Compliance Coordinator
NOAA Restoration Center, Southeast Region *Christy*

DATE: January 30, 2018

SUBJECT: Project Proposed in Florida Trustee Implementation Group Restoration
Plan Phase v.2 and Environmental Assessment: EFH No Effect
Determination

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), established procedures designed to identify, conserve, and enhance Essential Fish Habitat (EFH) for those species regulated under a Federal fisheries management plan (FMP). A Federal agency must prepare an EFH Assessment for any Federal action that may adversely affect EFH (50 CFR 600.920(e)(1)). A Federal agency must first determine whether their action may adversely impact EFH. If a Federal agency determines that a Federal action may adversely impact EFH, then the Federal agency must prepare an EFH assessment. If a Federal agency determines that a Federal action will not adversely affect EFH, then the Federal agency is not required to prepare an EFH Assessment.

Based on my review of project materials (Winter 2017) in coordination with representatives from NOAA's Habitat Conservation Division (HCD) in the South East Regional Office (SERO), the NOAA Restoration Center determined that the preferred project proposed for implementation in the Florida Trustee Implementation Group Restoration Plan Phase V.2 and Environmental Assessment will not affect EFH. The project will be constructed uplands and any minimal work adjacent to EFH areas will have appropriate BMPs that prevent any sediment from reaching EFH. As a result, no further EFH evaluation is needed. Should any project be modified in a way that could adversely impact EFH, this determination will be reevaluated as appropriate.

Proposed Project that will not affect EFH

- Salinas Park Addition