




MEMORANDUM FOR: FILE

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

DATE: March 29, 2017

SUBJECT: Projects Proposed in Alabama Trustee Implementation Group
Restoration Plan #1 and Environmental Impact Statement: 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 (Spring 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 all projects proposed for implementation in the in the Alabama Trustee Implementation Group Restoration Plan #1 and Environmental Impact Statement will not affect EFH because the projects are upland, restricted to planning or have been designed to avoid affecting EFH. As a result, none of the projects below require further EFH evaluation. Should any project be modified in a way that could adversely impact EFH, this determination will be reevaluated as appropriate.

Proposed Projects

- Dauphin Island Mid-Island Parks and Public Beach Improvements
- Gulf State Park Lodge and Public Access Amenities
- Bayfront Park Restoration and Improvement (Engineering & Design)
- Dauphin Island Eco-Tourism and Environment Education Area
- Fort Morgan Pie Rehabilitation
- Laguna Cove Little Lagoon Natural Resource Protection