



MEMORANDUM FOR: FILE

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

DATE: March 29, 2017

SUBJECT: Mississippi Trustee Implementation Group 2016-2017 Restoration Plan  
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 (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 three projects proposed for implementation in the Mississippi Trustee Implementation Group 2016-2017 Restoration Plan and Environmental Assessment will not affect EFH because there is no EFH in the project area or EFH will not be affected by proposed actions. 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

- Graveline Bay Land Acquisition and Management
- Grand Bay Land Acquisition and Habitat Management
- Upper Pascagoula River Water Quality Enhancement