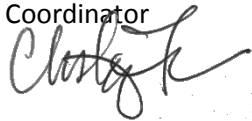




MEMORANDUM FOR: FILE

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

DATE: Nov 30, 2018

SUBJECT: Alabama Estuarine Dolphin Population & Health Assessment Proposed
in Alabama Trustee Implementation Group Restoration Plan #2 and
Environmental Assessment: ESA Consultation Concluded

Under the Endangered Species Act (ESA) Section 7(a)(2), each Federal agency shall ensure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered or threatened species, or destroy/adversely modify designated critical habitat. If a Federal agency determines that a Federal action will have no effect on ESA-listed species or designated critical habitat, then the Federal agency is not required to consult with NMFS for purposes of ESA. This memo does not include any conclusions or determinations for ESA-listed species under the jurisdiction of USFWS.

Based on my review of project materials (Fall 2018), and in coordination with representatives from NOAA's Protected Resource Division (PRD) in the South East Regional Office (SERO) and the Office of Protected Resources, the proposed project does not require further ESA consultation. The Alabama Estuarine Dolphin Population & Health Assessment project proposes to use trawl sampling activities that fall within the effects considered in an existing ESA consultation authorizing the continuance of the Southeast US shrimp fishery¹, thus NOAA's ESA responsibilities as an action agency are accounted for. The NOAA Restoration Center, on behalf of the Alabama TIG, requested consultation on April 9, 2018 but this request was ultimately withdrawn on November 16, 2018 once the determination that no additional ESA consultation was needed (see enclosure).

Consultation with NMFS for ESA-listed species and habitat under their jurisdiction is now concluded. Should the project be modified in a way that could adversely affect ESA-listed species or their designated critical habitat in a way that that is not covered in an existing consultation, this determination will be re-evaluated as appropriate.

¹ Reinitiation of Endangered Species Act (ESA) Section 7 Consultation on the Continued Implementation of the Sea Turtle Conservation Regulations under the ESA and Continued Authorization of the Southeast U.S. Shrimp Fisheries in Federal Waters under the Magnuson-Stevens Fishery Management and Conservation Act (MSFMCA), Consultation No. SER-201 3-12255, issued April 18, 2014.



Christina Fellas - NOAA Federal <christina.fellas@noaa.gov>

Update on DWH-RC Alabama Estuarine Dolphin Population & Health Assessment Project (SER-2018-19255)

Francesca Innocenti - NOAA Affiliate <francesca.innocenti@noaa.gov>
To: "Christy Fellas, NOAA" <christina.fellas@noaa.gov>

Fri, Nov 16, 2018 at 12:43 PM

Christy,

Based on your email and the information provided, the subject project activities will be covered under an existing ESA consultation (shrimp opinion), therefore I am closing out the consultation as withdrawn. Please let me know if you have any questions or concerns.

Thank you,
Francesca

Francesca Innocenti
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