



MEMORANDUM FOR: FILE

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

DATE: April 5, 2018

SUBJECT: Projects Proposed in Alabama Trustee Implementation Group
Restoration Plan #2 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 (Fall 2017- Spring 2018) 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 #2 and Environmental Assessment will not affect EFH because the projects are upland, restricted to planning or have been designed to avoid adverse affects on 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

- Magnolia River Land Acquisition (Holmes Tract)
- Weeks Bay Land Acquisition East Gateway Tract
- Weeks Bay Land Acquisition Harrod Tract
- Lower Perdido Islands Restoration Phase I
- Coffee Island Restoration – Phase I
- Restoring the Night Sky
- Toulmin Springs Branch Engineering & Design
- Fowl River Nutrient Reduction
- Weeks Bay Nutrient Reduction
- Coastal Alabama Sea Turtle Conservation Program (share the beach)
- Coastal Alabama Sea Turtle Habitat Usage and Population Dynamics



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
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Proposed Projects (continued)

- Coastal Alabama Sea Turtle Protection: Enhancement and Education
- Enhancing Capacity for the Alabama Marine Mammal Stranding Network
- Assessment of Alabama Estuarine Bottlenose Dolphin Populations and Health
- Alabama Estuarine Bottlenose Dolphin Protection: Enhancement and Education
- Colonial Nesting Wading Bird Telemetry Study
- Side-scan Mapping of Mobile Bay Relic Oyster Reefs
- Oyster Hatchery at Claude Petet Mariculture Center