United States Department of the Interior

FISH AND WILDLIFE SERVICE
Deepwater Horizon Gulf Restoration Office
341 Greeno Road North, Suite A
Fairhope, Alabama 36532

In Reply Refer To:
FWS/R4/DH NRDAR

June 3, 2021

Dr. Amy Hunter
Alabama Department of Conservation and Natural Resources
Deepwater Horizon Restoration Coordinator
31115 Five Rivers BLVD.
Spanish Fort, AL 36527

Re: Side-scan Mapping of Mobile Bay Relic Oyster Reefs (Engineering & Design)

Dear Dr. Hunter:

As you are aware, on or about April 20, 2010, the mobile offshore drilling unit Deepwater Horizon experienced an explosion, leading to a fire and its subsequent sinking in the Gulf of Mexico (the Gulf). These events resulted in the discharge of millions of barrels of oil into the Gulf over a period of 87 days. In addition, various response actions were undertaken in an attempt to minimize impacts from spilled oil. These events are hereafter collectively referred to as the Oil Spill.

The Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service, the National Park Service, and the Bureau of Land Management, is a designated natural resource trustee agency authorized by the Oil Pollution Act of 1990 (OPA) and other applicable federal laws to assess and assert a natural resource damages claim for this Oil Spill. This process is known as a Natural Resource Damage Assessment and Restoration (NRDAR). DOI is only one of several Trustees, including agencies of the State of Alabama. Consistent with the OPA, the Trustees have initiated restoration planning to identify the actions that will contribute to restoring injured natural resources and to make the public whole for the injuries and losses that occurred.

The DOI is coordinating a review of this project titled “Side-scan Mapping of Mobile Bay Relic Oyster Reefs (Engineering &Design)” under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended (16 U.S.C. 470 et seq.) and its implementing regulations (36 CFR Part 800).

After review of the project area and activities under the NHPA Section 106, it is the finding of the Department of the Interior that no further review of the project under Section 106 of the NHPA (36 CFR 800.3) is warranted at this time based on the information currently available.

The Side-scan Mapping of Mobile Bay Relic Oyster Reefs (E&D) project would identify water bottoms in areas of mid- to lower Mobile Bay capable of supporting oyster cultch. The longer-term objective would be to reestablish oysters in these areas through cultching and initial high density seeding with hatchery raised oyster spat. Historically reefs in these areas were highly productive and an important linkage ensuring the transfer of spat from upper to lower Mobile Bay and Mississippi Sound. Under the direction of Alabama Marine Resource Division (AMRD), this project would use sonar technology to survey the current extent and condition of the relic oyster reefs identified in previous reef surveys and other water bottoms not surveyed at that time. Approximately 8,847 acres of non-contiguous, state-owned water bottoms have been identified for side-scan mapping in mid- to lower Mobile Bay based on a survey of living and relic oyster reefs conducted in 1968. An additional 5,153 acres of oyster bottoms have been identified in upper Mobile Bay to quantify the location and extent of existing oyster resources that contribute to larval production and recruitment to lower Mobile Bay reefs. Depending on the side-scan results, these areas could be used to reestablish oyster populations through efforts to seed reef areas with hatchery-raised, high-density oyster spat setting. Alabama Department of Conservation and Natural Resources (ADCNR) would be the implementing Trustee for this project.

Side-scanning activities may be performed by an entity with side-scan sonar capabilities, in addition to AMRD staff. To identify priority areas for side scanning and for contract specifications, grids comprising 2 kilometers by 2 kilometers would be superimposed on a map of historical oyster surveys within Mobile Bay. Side scanning and image processing would occur during the following 4 months. Once completed, AMRD staff would verify the data from random areas in mapped areas with high reflectance via hand dredge and pole to confirm the extent of bottom hardness and sediment burden. The gathered information would be used to prioritize areas for future oyster reef restoration.

The surveys are expected to be completed within 1 year. Afterward, the next 4 months of the project would entail project planning and identification of target areas for side-scan mapping and contract development. Side scanning and image processing would occur during the next 4 months. The final 4 months would consist of ground-truthing mapped areas. The overall project would last approximately 2 years.

These activities will have *no potential to effect* known and unknown historic properties. The project is currently cleared to proceed without in further NHPA restrictions; however, if further information becomes available the review process can be reinitiated at any time.

In addition, if, during the implementation and conduct of this project, any cultural material not accounted for by this consultation is discovered, work will cease in the vicinity of the discovery and the project proponent shall contact the DOI Gulf Restoration Office (GRO) immediately. Daniel_Polito@fws.gov or (256) 263-0455. We will contact the relevant Tribal Historic Preservation Officers and the State Historic Preservation Office.

Sincerely yours,

Benjamin Frater
Assistant Gulf Restoration Manager