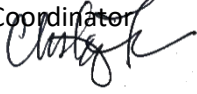




UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: April 16, 2020

SUBJECT: Projects Proposed in Louisiana Trustee Implementation Group  
Restoration Plan #6 and Environmental Assessment: No Further Action  
Needed for NMFS Species Protected under the MMPA

There are more than 22 species of marine mammals in the Gulf of Mexico, including dolphins and whales. The Marine Mammal Protection Act (MMPA), as amended, prohibits the taking of marine mammals, where "take" is defined as "the act of hunting, killing, capture, and/or harassment of any marine mammal; or, the attempt at such" 16 U.S.C. § 1362(13). The Marine Mammal Protection Act does provide a mechanism (section 101(a)(5) (A-D)) for allowing, upon request, the "incidental", but not intentional, taking of small numbers of marine mammals by U.S citizens who engage in a specified activity (other than commercial fishing) within a specified geographic region. Proposed projects were analyzed to evaluate the potential for any such non-fishery interactions with marine mammals.

Based on my review of project materials (early 2020) for the West Grand Terre, Biloxi Marsh and Golden Triangle restoration projects, in coordination with representatives from NOAA's Protected Resource Division in the Southeast Regional Office, the NOAA Restoration Center determined that these projects proposed for implementation in the Louisiana TIG Restoration Plan/Environmental Assessment #6 do not require further MMPA evaluation. Take authorization for these projects are not needed. Best management practices, as described in the biological evaluation form for each project, are in place to avoid effects to marine mammals. If a project is modified in a way that could adversely impact marine mammals, this determination will be reevaluated as appropriate.