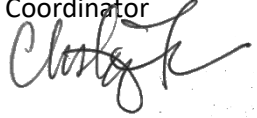




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: March 4, 2020

SUBJECT: MS TIG RP/EA #2: No Further EFH or MMPA Evaluation Needed for the
Oyster Gardening and Oyster Spawning Reef Projects

Based on my review of project materials including the Biological Evaluation forms (Winter 2019) the NOAA Restoration Center (RC) determined that the Oyster Gardening and Oyster Spawning Reef projects will not require further evaluation under the Magnuson Stevens Act (MSA) or the Marine Mammal Project Act (MMPA). Representatives from NOAA's Habitat Conservation and Protected Resources Divisions in the Southeast Regional Office provided technical assistance on these projects. Appropriate measures and best management practices were included in the BE forms to avoid and minimize effects to EFH and marine mammals, thus consultations and permits under MSA and MMPA were not required.

If the project is modified in a way that could change these determinations it will be reevaluated as appropriate.