



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Florida Ecological Services Field Office



In Reply Refer To:

January 16, 2025

2025-0031629 Reducing Marine Debris Impacts on Birds and Sea Turtles (FL Component)

Memorandum

To: Compliance Supervisor, Gulf Restoration Office, Fairhope, AL

From: Division Supervisor, Environmental Review, Florida Ecological Services, Region 4, USFWS

Subject: Informal consultation for the proposed project “Reducing Marine Debris Impacts on Birds and Sea Turtles (FL Component)” activities within the offshore and nearshore waters and upland habitats of all Florida Gulf Coast counties (Escambia through Monroe) including all of the Florida Keys and Florida Bay including Key West National Wildlife Refuge, John Pennekamp Coral Reef State Park, and Dagny Johnson Key Largo Hammock Botanical State Park.

This memorandum acknowledges USFWS’s receipt of Gulf Restoration Office’s request for consultation biological evaluation on January 16, 2025. This response is in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). We have reviewed your proposed project and concur with your January 16, 2025, determinations for endangered and threatened species. We based our concurrence on the justification below. Where more than one justification was applicable, multiple boxes are checked and additional comments are added.

- ☐ Species-specific surveys were conducted and there are no endangered, threatened, or at-risk species or designated critical habitat on site.
- ☐ Endangered, threatened, and at-risk species are not known to be present and are not expected to occur within the vicinity of the proposed project.
- ☒ Appropriate conservation measures have been included within the project description to ensure that any effects to listed species are insignificant or discountable.

Applicant has agreed to the following:

- To conduct unmanned aircraft systems operations in adherence to the protocol described within the *FWC Small Unmanned Aircraft Systems (sUAS) Use and Safety Manual, Revised August 2, 2023*, and *Conservation Measures for Regionwide TIG Marine Debris Project (Florida component) Revised July 2024*, and FAA 14 CFR Part 107 *Small Unmanned Aircraft Systems*, FAA 14 CFR Part 91 *General Operating and Flight Rules*, and FAA 14 CFR Part 135 *Operating Requirements* documents.
- Species-specific conservation measures will be adhered to as described in the *Conservation Measures for Regionwide TIG Marine Debris Project (Florida component) Revised July 2024*, document.

- Adhere to best practices for protected species and general construction measures (Deepwater Horizon Natural Resource Damage Assessment Trustees 2016).
 - To conduct activities in accordance with *Standard Manatee Conditions for In-Water Work* (FFWCC 2013), which include but are not limited to, the following:
 - Use siltation barriers made of material that will not entrap or entangle ESA-listed species and will not impede their movement.
 - Barriers will be properly secured and routinely monitored to ensure ESA-listed species are not entangled.
 - Water vessels associated with construction will operate at no-wake or idle speeds at all times in the action area and in water depths where the draft of the vessel provides less than a four-foot clearance from the sediment.
 - Restrict in-water proposed actions to the winter months, as possible, when West Indian manatees are least likely to be in the project vicinity.
- ☒ Appropriate avoidance and minimization measures have been included within the project description to ensure primary constituent element(s) (PCE[s]) and/or critical habitat will not be adversely modified or destroyed.
- ☐ The proposed project is completely beneficial to the listed or at-risk species and/or critical habitat considered.

As provided in 50 CFR 402.16, consultation must be reinitiated if (1) take occurs, or (2) new information reveals effects of the action not previously considered, or (3) if the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat in a manner or to an extent not previously considered, or (4) if a new species is listed or critical habitat designated that may be affected by the action.

If you have any questions regarding this project, please contact Laura Wright, Fish and Wildlife Biologist, at laura_wright@fws.gov or (352) 448-9151.

Literature Cited

- Deepwater Horizon Natural Resource Damage Assessment Trustees. 2016. Deepwater Horizon oil spill: Final programmatic damage assessment and restoration plan and final programmatic environmental impact statement. U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Silver Spring, MD.
- FFWCC. 2013. Standard Manatee Conditions for In-water Work, 2011. State of Florida, Florida Fish and Wildlife Conservation Commission (FFWCC), Tallahassee, Florida.