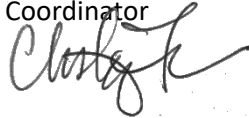




MEMORANDUM FOR: FILE

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

DATE: July 12, 2021

SUBJECT: ESA, EFH and MMPA No Effect Determinations for Florida TIG Oyster
Data Gap Project: Conducting Habitat Suitability Analyses to Identify
Optimal Oyster Restoration Locations along the Florida Gulf Coast

Based on my review of the Biological Evaluation form (Summer 2021), and in coordination with representatives from NOAA's Protected Resource Division (PRD) and Habitat Conservation Division (HCD) in the Southeast Regional Office, the NOAA Restoration Center (RC) determined that the projects listed below will have no effect on species or habitats listed under the Endangered Species Act (ESA) under the jurisdiction of National Marine Fisheries Service (NMFS), the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and Marine Mammal Protection Act (MMPA) under the jurisdiction of National Marine Fisheries Service (NMFS).

This restoration planning activity will develop oyster habitat suitability indices for six basins along the Gulf coast which will provide critical information on the most suitable restoration sites and sequencing implementation activities. Maps of suitable oyster habitat will be developed and available to the public through the FWC website. These maps and indices will also help guide future oyster restoration efforts in other areas along the Gulf coast of Florida and throughout Florida. The duration of the activity is five years and will involve 1) data compilation, 2) benthic mapping, 3) oyster reef monitoring, and 4) development of a Geographic Information System (GIS)-based habitat suitability index (HSI) maps for six study sites in Florida: Pensacola Bay and St. Andrew Bay in the Panhandle region, Suwannee Sound and the Withlacoochee/Crystal River area in the North Peninsular region, and Tampa Bay and Charlotte Harbor in the South Peninsular region.

ESA

The proposed project will have no effect on species or habitats listed under the ESA. This is due to the nature of the field work being done by personnel diving and working by hand to collect oysters and water quality information for very short durations (days). These activities are unlikely to create any disturbances to a level that would affect these species or habitats. If the project is modified in a way that could change these determination it will be reevaluated as appropriate.



Magnuson-Stevens Act (Essential Fish Habitat, EFH)

The proposed project will have no effect on designated EFH. This is due to the nature of the field work being done by personnel diving and working by hand to collect oysters and water quality information for very short durations (days). These activities are unlikely to create any disturbances to a level that would affect designated EFH and no seagrass will be disturbed. If the project is modified in a way that could change this determination it will be reevaluated as appropriate.

MMPA

The proposed project will have no effects on marine mammals protected by the MMPA under the jurisdiction of NMFS. This is due to the nature of the field work being done by personnel diving and working by hand to collect oysters and water quality information for very short durations (days). These activities are unlikely to create any disturbances to a level that would affect marine mammals. If the project is modified in a way that could change this determination it will be reevaluated as appropriate.