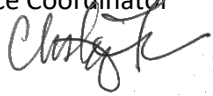




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: May 20, 2025

SUBJECT: Open Ocean TIG Monitoring Activity: Coastal Restoration Effects on
Inshore, Nearshore and Offshore Ecological Condition: EFH No Effect
Determination

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), established procedures designed to identify, conserve, and enhance Essential Fish Habitat (EFH) for those species regulated under a Federal fisheries management plan (FMP). A Federal agency must prepare an EFH Assessment for any Federal action that may adversely affect EFH (50 CFR 600.920(e)(1)). A Federal agency must first determine whether their action may adversely impact EFH. If a Federal agency determines that a Federal action may adversely impact EFH, then the Federal agency must prepare an EFH assessment. If a Federal agency determines that a Federal action will not adversely affect EFH, then the Federal agency is not required to prepare an EFH Assessment.

Based on my review of project materials since the monitoring activity implementation plan was approved and planning was completed, the NOAA Restoration Center determined that the Coastal Restoration Effects on Inshore, Nearshore and Offshore Ecological Condition project will not affect EFH because the project (limited duration sampling) has been designed to avoid adverse affects and best management practices included in the biological evaluation form are in place. This project will not require further evaluation under the Magnuson-Stevens Act.