

**Subject:** DWH-Early Restoration- Essential Fish Habitat Consultation Initiation-Florida Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements – Cash Bayou project

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**Date:** 3/5/2014 1:17 PM

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Mr. Thompson,

Attached is the Essential Fish Habitat Assessment for the Florida Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements – Cash Bayou Project . This project is being proposed in the Deepwater Horizon Draft Phase III Early Restoration plan and Programmatic Environmental Impact Statement. Please consider this our initiation of our Essential Fish Habitat consultation. If you anticipate this consultation requiring more than 30 days (April 4, 2014) please let me know.

If you have any questions or require additional information, please contact me at [409-621-1248](tel:409-621-1248) or at [jamie.schubert@noaa.gov](mailto:jamie.schubert@noaa.gov).

Thanks,

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— Attachments: —

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## **Determination of Effect on Essential Fish Habitat from Florida Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements – Cash Bayou project**

### ***EFH overview from Magnuson Stevens Act***

The 1996 Magnuson-Stevens Act requires cooperation among the National Marine Fisheries Service (NMFS), anglers, and federal and state agencies to protect, conserve, and enhance Essential Fish Habitat (EFH). EFH is defined as those waters and substrates necessary to fish for spawning, breeding, feeding, or growth to maturity. The designation and conservation of EFH seek to minimize adverse effects on habitat caused by fishing and non-fishing activities.

### ***Project description***

The proposed Florida project would improve public access at Cash Bayou in the Apalachicola River Wildlife and Environmental Area. The general location of this activity is identified in Figure 1. The proposed improvements include constructing a roughly 700' (i.e., 35' by 20') fishing and wildlife observation structure (see Figure 2 for an example of such a structure), and a parking area with an entrance kiosk and information station along State Route 65 in the area generally to the East of the bridge that crosses Cash Creek (see Figure 1). Final designs have not been prepared but during a site visit in January, 2014 it was discussed that the parking area and area with the fishing and wildlife observation structure could be developed in nearby but separate areas along State Route 65 because of space constraints. While, the design and exact location for each of the above-mentioned aspects is not yet known, the maximum footprint needed for the sum of all the projects is approximately 1.5 acres. The approximate center of activity for this project is located at Latitude 29.81896 N and Longitude 84.84994 W, which is approximately marked by the green dot in Figure 1. Figure 3 provides a view from the proposed site of the fishing and wildlife observation structure.

The construction of fishing structure and elevated wildlife viewing structure would be sited along the bank of Cash Bayou based upon a wildlife viewing analysis of the site. The proposed structure is expected to disturb approximately 0.2 acre. Construction of the fishing and wildlife viewing structure would require some limited in-water work to place pilings for the structure along the creek. Because a limited number of pilings would need to be placed and based on conditions at the site it is anticipated that placement could occur from land. During the rest of the construction process typical site maintenance BMPs (e.g., hay bailing to control runoff, fueling vehicles and equipment away from the water) will be followed to avoid impacts to the aquatic environment.



**Figure 1. Location of Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements Project, Cash Bayou location.**



**Figure 2. Example of a Fishing and Wildlife Viewing Structure similar to that planned for Cash Bayou.**



**Figure 3. Approximate location of planned fishing and wildlife viewing structure on Cash Creek (photo looking roughly Northeast to bridge on State Route 65).**



***Federally managed fisheries and EFH***

Information on designated EFH in the Gulf of Mexico was obtained in September, 2013 from the NMFS’ EFH web site at <http://www.habitat.noaa.gov/protection/efh/newInv/index.html>.

Table 1 provides a summary of the species identified as having designated EFH for one or more life stages within the area of potential affect for the proposed project.

<b>EFH_Category</b>	<b>Species</b>
<b>Atlantic Highly Migratory Species</b>	
	Atlantic Sharpnose Shark-Adult
	Atlantic Sharpnose Shark-Juvenile

<b>EFH_Category</b>	<b>Species</b>
	Atlantic Sharpnose Shark-Neonate
	Blacknose Shark-Adult
	Blacknose Shark-Juvenile
	Blacknose Shark-Neonate
	Blacktip Shark-Adult
	Blacktip Shark-Juvenile
	Blacktip Shark-Neonate
	Bonnethead Shark-Adult
	Bull Shark-Juvenile
	Finetooth Shark-Adult-and-Juv
	Great Hammerhead Shark-All
	Scalloped Hammerhead Shark-Juvenile
	Scalloped Hammerhead Shark-Neonate
	Spinner Shark-Juvenile
	Spinner Shark-Neonate
<b>Coastal Migratory Pelagics of the Gulf of Mexico AND South Atlantic</b>	
	Spanish Mackerel
	Cobia
	King Mackerel
<b>Gulf of Mexico Red Drum</b>	
	Red Drum
<b>Gulf of Mexico Shrimp</b>	
	Pink Shrimp
	Rock Shrimp
	Royal Red Shrimp
	Seabob Shrimp
	White Shrimp
	Brown Shrimp
<b>Reef Fish Resources of the Gulf of Mexico</b>	
	Lane Snapper
	Lesser Amberjack
	Mutton Snapper
	Nassau Grouper
	Queen Snapper

<b>EFH_Category</b>	<b>Species</b>
	Red Grouper
	Red Snapper
	Scamp
	Silk Snapper
	Snowy Grouper
	Speckled Hind
	Tilefish
	Vermilion Snapper
	Warsaw Grouper
	Wenchman
	Yellowedge Grouper
	Yellowfin Grouper
	Yellowmouth Grouper
	Almaco Jack
	Banded Rudderfish
	Black Grouper
	Blackfin Snapper
	Blueline Tilefish
	Cubera Snapper
	Gag
	Goldface Tilefish
	Gray (Mangrove) Snapper
	Gray Triggerfish
	Greater Amberjack
	Hogfish

***Assessment of effects to EFH***

Construction of the wildlife viewing and fishing structure envisioned for this project would have only minor impacts to EFH. The structure will cover an area of open-water near shore habitat, shading the environment below. With a footprint over the aquatic habitat of slightly more than 700 square-feet, the shading impacts of the structure would be small relative to the amount of habitat available in surrounding areas, much of which may currently be shaded at times during the day by nearshore vegetation.

During in-water construction activity, best management practices will be implemented to minimize erosion and control sediment runoff. These include (provide appropriate BMPs). It is anticipated that construction activities could have a minor negative impact on water quality or sediment quality, and heavy equipment use would increase noise levels in the project area during the construction phase of the project. However, the nature and extent of these impacts would be limited in their severity and duration. In addition a small area of sandy bottom habitat would be altered as a result of piling installation. To minimize potential impacts all permitting requirements and best management practices would be followed during construction and development of the structure. During construction, adjacent areas with equivalent or better habitat would be available and undisturbed allowing organisms to move away from disturbed areas.

### ***Conclusion***

Potential impacts to EFH in the proposed locations for the Apalachicola River Wildlife and Environmental Area Fishing and Wildlife Viewing Access Improvements – Cash Bayou project have been assessed and it has been determined that the restoration is not likely to adversely affect EFH. Implementing the project would result in an extremely limited conversion of existing substrate with the placement of the project pilings. Disturbance to any EFH and species using the habitat in areas adjacent to locations where the proposed project is to take place would be brief and insignificant with risks further mitigated by following identified best management practices during construction. No adverse impacts to other EFH types would result from the proposed restoration techniques.