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

April 7, 2014

David Bernhart
Assistant Regional Administrator for Protected Resources
NOAA Fisheries Service, Southeast Regional Office
263 13th Avenue South
Saint Petersburg, Florida 33701

Re: DWH-ERP-Request for section 7 Endangered Species Act Formal Consultation for *Deepwater Horizon* Oil Spill Phase III Early Restoration Plan project *Gulf County Windmark Beach Fishing Pier Improvements*

Dear David,

The National Oceanic and Atmospheric Administration (NOAA) Restoration Center requests formal consultation with your office, under section 7 of the Endangered Species Act (ESA), for impacts from the Gulf County Windmark Beach Fishing Pier Improvements Project. This project may affect, but is not likely to adversely affect the following federally listed species administered by NOAA Fisheries:

Sea Turtles (Green-T, Hawksbill-E, Leatherback-E, Loggerhead-T, Kemp's Ridley-E) and Loggerhead Sea Turtle Critical Habitat

Gulf sturgeon-T and Critical Habitat

Smalltooth Sawfish - E

The NOAA Restoration Center, a Lead Federal Agency, is requesting consultation on behalf of the Natural Resource Trustees for *Deepwater Horizon* Oil Spill. Enclosed please find a Biological Assessment and a NMFS ESA Checklist for this Phase III Early Restoration Project.

For further questions about the project, please contact Jamie Schubert of our staff at 409-621-1248.

Thank you for your assistance.

Sincerely,

Leslie J. Craig

Leslie Craig

Supervisor, Southeast Region, NOAA Restoration Center
NOAA Fisheries Office of Habitat Conservation

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