



**UNITED STATES DEPARTMENT OF COMMERCE**

National Oceanic and Atmospheric Administration

**NATIONAL MARINE FISHERIES SERVICE**

Southeast Regional Office

263 13th Avenue South

St. Petersburg, Florida 33701-5505

<http://sero.nmfs.noaa.gov>

March 5, 2014

MEMORANDUM TO: Leslie Craig  
Southeast Region Supervisor, NOAA Restoration Center

FROM: *Virginia M. Fay*  
Virginia M. Fay  
Assistant Regional Administrator, Habitat Conservation Division

SUBJECT: Essential Fish Habitat (EFH) assessment review for the proposed  
Oyster Reef Restoration project in Mobile Bay and Mississippi  
Sound, Mobile County, Alabama

In response to the Deepwater Horizon oil spill, the Alabama Department of Conservation and Natural Resources (ADCNR) proposes ecological restoration and recovery of ecosystem services lost as a result of the oil spill. The proposed project is to construct low relief oyster reefs designed to enhance oyster biomass production and subtidal habitat through the selective placement of oyster cultch on approximately 319 acres of historic oyster reefs in Mobile Bay and Mississippi Sound. Estuarine mud, sand, shell, and rock substrates and water column will be impacted and are identified and described as EFH under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

As specified in the Magnuson-Stevens Act, EFH consultation is required for federal actions which may adversely affect EFH. As the federal action agency for this matter, NOAA's Restoration Center prepared an EFH assessment for ADCNR and provided that document for our review by electronic mail dated February 20, 2014. The Southeast Region's Habitat Conservation Division (SER HCD) has reviewed the EFH assessment and finds the Restoration Center adequately evaluated potential project impacts to the federally managed species occurring within the influence of the project. We concur with the determination in the EFH assessment that negative project impacts are expected to be temporary and minor. The SER HCD has no EFH conservation recommendations to provide pursuant to Section 305(b)(2) of the Magnuson-Stevens Act at this time. Further consultation on this matter is not necessary unless future modifications are proposed and such actions may result in adverse impacts to EFH.

cc:

F/SER-Giordano

F/OHC-Schubert

F/SER4-Dale

