

2023-0049747 OO TIG - GOM

Memorandum

To: Compliance Supervisor, Gulf Restoration Office, Fairhope, AL

From: Division Supervisor, Environmental Review

Subject: Informal Consultation for the proposed project, "OO RP2 MDBC Mapping, Ground Truthing, and Predictive Habitat Modeling; OO RP2 MDBC Habitat Assessment and Evaluation (HAE); OO RP2 MDBC Coral Propagation Technique Development (CPT); OO RP2 MDBC Active Management and Protection (AMP); also proposed Open Ocean MAM Activity "Linkages between deep benthic habitats and water column resources"

This memorandum acknowledges our receipt of your memorandum on March 13, 2023. This response is in accordance with Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA). We have reviewed your proposed project and concur with your March 13, 2023, determinations for endangered and threatened species, their critical habitat, and at-risk species (should they become listed). We based our concurrence on the justification below. Where more than one justification was applicable, multiple boxes are checked and additional comments are added.

- Species-specific surveys were conducted and there are no endangered, threatened, or at-risk species or designated critical habitat on site.
- Endangered, threatened, and at-risk species are not known to be present and are not expected to occur within the vicinity of the proposed project.
- Appropriate avoidance and minimization measures have been included within the project description to ensure that any effects to listed species (or at-risk species should they become listed) are insignificant or discountable.
 - USFWS Standard Manatee In-Water Conditions will be followed.
- Critical habitat is not present on site and does not occur within the vicinity of the proposed project.
- Appropriate avoidance and minimization measures have been included within the project description to ensure primary constituent element(s) (PCE[s]) and/or critical habitat will not be adversely modified or destroyed.
- The proposed project is completely beneficial to the listed or at-risk species and/or critical habitat considered.

Unless the project description changes, or new information reveals that the effects of the proposed action may affect listed species in a manner or to an extent not previously considered, or a new species or critical habitat is designated that may be affected by the proposed action no further action pursuant to the ESA is necessary.

If you have any questions regarding this project, please contact Laura Wright, Fish and Wildlife Biologist, at laura_wright@fws.gov or 850-769-0552.