



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

Jennifer Wittman, Director
Coastal Resources Management,
Mississippi Department of Natural Resources
1141 Bayview Avenue
Biloxi, Mississippi 39530

Dear Director Wittman:

We, NOAA Fisheries, are sending this letter pursuant to the Coastal Zone Management Act (CZMA) (16 U.S.C. 1456(c)(1)(A)) and its implementing regulations. Under section 307(c)(1)(A) of the CZMA, each Federal activity within or outside the coastal zone that has reasonably foreseeable effects on any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State coastal management programs.

Under section 4 of the Endangered Species Act (ESA), we propose to designate critical habitat in the marine waters of Mississippi for green sea turtles of the North Atlantic Distinct Population Segment (DPS). In Mississippi's State waters, the proposed designation includes *Sargassum* habitat in waters from 10 m depth to the Exclusive Economic Zone. Please see our website for more information: <https://www.fisheries.noaa.gov/action/critical-habitat-green-sea-turtles>.

We have determined that any coastal effects of this proposed designation of critical habitat on coastal uses and resources are not reasonably foreseeable at this time. This proposed designation does not restrict any coastal uses, affect land ownership, or establish a refuge or other conservation area; rather the designation only affects the ESA section 7 consultation process. Through the consultation process, we will receive information on proposed Federal actions and their effects on listed species and the designated critical habitat upon which we base our biological opinion. It will then be up to the Federal action agencies to decide how to comply with the ESA in light of our opinion, as well as to ensure that their actions comply with the CZMA's Federal consistency requirement. At this time, we do not anticipate that this designation is likely to result in any additional management measures by other Federal agencies.

Please accept our submission of this negative determination for your review. If you have any questions, please contact Jennifer Schultz at jennifer.schultz@noaa.gov or 301-427-8443.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly S. Randall".

Kimberly Damon-Randall
Director, Office of Protected Resources