



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

April 30, 2018

Emily Biondi, Director  
Office of Project Development & Environmental Review  
Federal Highway Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: Final FHWA/NMFS GARFO Programmatic Essential Fish Habitat Consultation

Dear Ms. Biondi:

Since 2013, our offices have collaborated on programmatic approaches to consultations. We developed this programmatic essential fish habitat (EFH) consultation to allow for a more efficient consultation process for transportation projects that you routinely authorize, fund, or carry out. Our mutual goal is to have an EFH consultation process that efficiently addresses routine, non-controversial transportation activities, in a way that is both protective and consistent across the Greater Atlantic Region.

Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires you to consult with us on any action you authorize, fund, or carry out that may adversely affect EFH. Based on the EFH regulations at 50 CFR Subpart K, 600.9200, we determined that programmatic EFH consultation is an efficient method for us to consult with each other on a subset of transportation projects that you routinely fund, authorize, or carry out, and to develop programmatic conservation recommendations that will address reasonable foreseeable adverse impacts to EFH.

This programmatic EFH consultation will reduce the number of projects that we consult on an individual basis by programmatically issuing conservation recommendations for transportation actions that may adversely affect EFH. By modifying an activity according to the programmatic conservation recommendations, associated impacts may be avoided or minimized and our EFH consultation requirements will be satisfied.

It will be advantageous for you and state Departments of Transportation (DOTs) to use this programmatic EFH consultation to improve the efficiency of your consultations. We also look forward to participating in upcoming outreach efforts with the FHWA Divisions and state DOTs related to this consultation program. Should you have any questions about the programmatic EFH consultation, please contact Chris Boelke (978-281-9131; Christopher.boelke@noaa.gov).



Thank you for your support of the development of this programmatic consultation.

Sincerely,

A handwritten signature in blue ink that reads "Louis A. Chiarella". The signature is fluid and cursive, with a long horizontal stroke at the end.

Louis A. Chiarella  
Assistant Regional Administrator  
for Habitat Conservation

Attachments: Programmatic EFH Consultation