

National Ocean Service (NOS)
Surveying and Mapping Projects
in U.S. Waters for Coastal and
Marine Data Acquisition

**Environmental Compliance
Fact Sheet**



**Magnuson-Stevens Fishery Conservation and Management Act (MSA)
Essential Fish Habitat (EFH)**

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) regulates marine fisheries management in U.S. federal waters and establishes procedures designed to identify, conserve, and enhance Essential Fish Habitat (EFH). EFH refers to all waters and substrate necessary for fish for spawning, breeding, feeding, or growth to maturity. The MSA authorizes the National Marine Fisheries Service (NMFS) to manage marine fisheries in federal waters and to facilitate the conservation and restoration of EFH.

NOS Consultation Under MSA Section 305 (B)

MSA Section 305(b) requires federal agencies to consult with the NMFS Office of Habitat Conservation (OHC) on all federal actions that may adversely affect EFH. Adverse effects may result from actions occurring within or outside of EFH and include any actions that reduce the quality and/or quantity of EFH. If adverse effects are anticipated, NMFS OHC will recommend measures to avoid, minimize, or offset adverse impacts to the quality or quantity of EFH.

To initiate consultation under Section 305(b) for NOS surveying and mapping projects, NOS prepared and submitted an EFH Assessment to NMFS on June 2, 2022. The EFH Assessment evaluated potential adverse effects to EFH from proposed NOS surveying and mapping projects and included a summary of required and optional mitigation measures to minimize impacts to sensitive species and habitats. On November 1, 2022, NMFS OHC provided EFH conservation recommendations which NOS agreed to implement in a response on January 5, 2023.

Outcomes: Through this consultation process, NOS developed additional mitigation measures aimed to minimize impacts to EFH from NOS project activities. The NOS mitigation measures will be implemented on each project as appropriate.

Photo Credit (left to right): NOS Image Gallery; Kelvin Gorospe, PIFSC NMFS; and Oceanography Team, PIFSC NMFS