



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

Bureau of Statistics and Plans
Attn: Coastal Program Administrator
Guam Coastal Management Program
P.O. Box 2950
Hagatna, Guam 96932

Dear Administrator:

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 or Territory coastal management programs.

Under section 4 of the Endangered Species Act (ESA), we propose to designate critical habitat in the marine waters of Guam for green sea turtles of the Central West Pacific Distinct Population Segment (DPS). The proposed designation includes waters from the mean high water line to 20 m depth containing reproductive and/or foraging/resting essential features. Please see our website for more information: <https://www.fisheries.noaa.gov/action/critical-habitat-green-sea-turtles>.

We followed the steps outlined in the Procedures Guide for Achieving Federal Consistency with the Guam Coastal Management Program. 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,

Kimberly Damon-Randall
Director, Office of Protected Resources
Attachment: Supplemental Information Form

RECEIVED

JUL 27 2023

BUREAU OF
STATISTICS AND PLANS

**FEDERAL CONSISTENCY
SUPPLEMENTAL INFORMATION FORM**

Date: 11/21/2022

Project/Activity Title or

Description Proposed designation of marine critical habitat for the green turtle (Central West Pacific DPS)

Location: Guam marine areas from mean high water line to 20 m depth

Other applicable area(s) affected, if appropriate:

Est. Start Date: Summer 2024

Est. Duration: _____

APPLICANT

Name & Title Jennifer Schultz

Agency/Organization NOAA Fisheries

Address 1315 East West Highway

Silver Spring MD

Zip Code 20910

Telephone No. during business hours:

A/C (301) 427-8443

A/C () _____

Fax () _____

E-mail Address: jennifer.schultz@noaa.gov

AGENT

Name & Title _____

Agency/Organization Address _____

Zip Code _____

Telephone No. during business hours:

A/C () _____

A/C () _____

Fax () _____

E-mail Address: _____

CATEGORY OF APPLICATION (check one only)

- ☒ I - Federal Agency Activity
- ☐ II - Federal Permit or License
- ☐ III - Federal Grants & Assistance

TYPE OF STATEMENT (check one only)

- ☐ Consistency
- ☐ General Consistency (Category I only)
- ☒ Negative Determination (Category I only)
- ☐ Non-Consistency (Category I only)

APPROVING FEDERAL AGENCY (Categories II & III only)

Agency _____

Contact Person _____

Telephone No. during business hours:

Area Code () _____

Area Code () _____

FEDERAL AUTHORITY FOR ACTIVITY

Title of Law Endangered Species Act _____

Section Section 4 _____

OTHER GUAM APPROVALS REQUIRED:

Agency	Type of Approval	Date of Application	Status
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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