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7/2/12 South Terminal - At. Sturgeon ESA issue

I laid out our view of letter from NMFS -
Need for informal consultation
- TOY - no effects OR
- informal ~~conversation~~ consultation that will explore measures → not likely adverse effec
- formal consultation if can't say that ↑

Phil - discussion w/ NMFS - not ~~[illegible]~~ spawning, just foraging. That's good.
Sequencing - stick to deep areas in winter months (because they travel in deeper areas) & ~~[illegible]~~ do shallow areas ~~[illegible]~~ in other months
noise impacts - blasting, pile driving - noise can be fatal Concern about decibel levels that cause acute mortality Need modeling from State unless they could do the pile driving & blasting Nov-Feb.

Gary - letter fell short of saying the Atlantic Sturgeon were w/in bar
conversation w/ DFG - their view that in harbors such as NB & smaller channels, highly unlikely to find At. St. Taunton & Merrimack R have wider channels that they gravitate to
Apex provided assessment done in late 90s - would rely on that to support assessment that Sturgeon aren't there (study done to support DMMP)
So they'd like to keep their position alive.
But still will explore potential to deal w/ noise issue in winter months. Wd like to then explore flexibility

Suggestion of 3 way conversation - DFG, NMFS, + EPA

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