



United States Department of the Interior

FISH AND WILDLIFE SERVICE
646 Cajundome Blvd.
Suite 400
Lafayette, Louisiana 70506



July 1, 2014

Mr. Debora McClain
Deputy DOI DH NRDAR Case Manager
Deepwater Horizon NRDAR
U.S. Fish and Wildlife Service
134 Union Blvd.
Lakewood, CO 80228

Dear Mr. McClain:

Thank you for your May 29, 2014, electronic transmittal regarding the proposed Deepwater Horizon (DWH) Early Restoration project, North Breton Island, Plaquemines Parish, Louisiana. The proposed project is designed to restore natural resources damages incurred by the DWH oil reclaiming barrier island habitat. Your e-mail requested the Fish and Wildlife Service's (Service) concurrence with a determination that the proposed project is exempt from the Coastal Barrier Resource Act (CBRA) of 1982 (96 Stat. 1653, as amended; 16 U.S.C. 3501 et seq.). The purposes of the CBRA are 3-fold: "to minimize the loss of human life, wasteful expenditures of Federal revenues, and the damage to fish, wildlife, and other natural resources associated with the coastal barriers along the Atlantic and Gulf Coast..." 16 U.S.C. § 3501(b).

The Coastal Barrier Improvement Act of 1990 created a new category of lands known as "Otherwise Protected Areas" (OPAs). These areas pertain to coastal barriers held for conservation or recreation, such as national wildlife refuges, state and county parks, etc. According to our records, the proposed restoration project occurs within the Breton Island National Wildlife Refuge, which is a designated OPA associated with System Unit LA-03P. The only prohibition within OPAs is Federal Flood Insurance. As such, you have determined that CBRA limitations on federal expenditures do not apply to this project. The Service concurs with your determination that CBRA does not apply to this project.

We appreciate the opportunity to provide this comment on the proposed action. If you have any questions regarding our comments, please contact Amy Trahan of this office (337/291-3126).

Sincerely,

Jeffrey D. Weller
Field Supervisor
Louisiana Ecological Services Office

