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CBRA for Deepwater Horizon MS Project

Debora McClain <debora_mcclain@fws.gov>
To: Stephen Ricks <stephen_ricks@fws.gov>
Cc: Ashley Mills <ashley_mills@fws.gov>

Fri, Jul 17, 2015 at 9:26 AM

Steve, attached please find the CBRA consistency determinations for the proposed Restoring Living Shorelines and Reefs in Mississippi Estuaries project which is part of the Deepwater Horizon Early Restoration Phase IV . If you have any questions please feel free to contact Ashley Mills.

Thanks

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Dear Project Leader,

The DOI Deepwater Horizon NRDA Case Management Office is continuing to move the proposed Early Restoration projects forward through the various environmental compliance consultations. First, we would like to thank you for all your efforts in the ESA Section 7 consultations your office conducted for the currently proposed projects. We are now working on the Coastal Barrier Resources Act consistency determinations. There are two projects in Mississippi that are being evaluated by the Natural Resource Trustees for the Deepwater Horizon oil spill as potential early restoration projects. One is a multi-faceted project, the Restoring Living Shorelines and Reefs in Mississippi Estuaries project, and the other is a Bike and Pedestrian Use Enhancements project at Davis Bayou, Gulf Islands National Seashore. These early restoration projects were proposed in the draft early restoration plan that was released for public review and comment on May 20, 2015.

We used the Coastal Barrier Resources System mapper – Beta (<http://www.fws.gov/cbra/Maps/Mapper.html> [accessed June 24, 2015]) to determine if proposed projects were located within an Otherwise Protected Area or within a Coastal Barrier Resources System Unit. If the proposed project will occur in an Otherwise Protected Area or outside of a System Unit, no additional analysis was developed.

Restoring Living Shorelines and Reefs in Mississippi Estuaries

The proposed Restoring Living Shorelines and Reefs in Mississippi Estuaries project includes the restoration of secondary productivity through the placement of intertidal and subtidal reefs and the use of living shoreline techniques including breakwaters. The projects would be implemented at proposed locations in Grand Bay, Graveline Bay, Back Bay of Biloxi and vicinity, and St. Louis Bay in Jackson, Harrison, and Hancock Counties, Mississippi. The project builds on recent collaborative projects implemented by the Mississippi Department of Marine Resources (MDMR), National Oceanic and Atmospheric Administration (NOAA), and The Nature Conservancy. When completed at all locations, the project would provide for construction of over four (4) miles of breakwaters, five (5) acres of intertidal reef habitat and 267 acres of subtidal reef habitat at four (4) locations across the Mississippi Gulf Coast (Figure 6-1). For the Grand Bay and Graveline Bay project locations, intertidal and subtidal reefs would be created in a number of sites. Over time, the breakwaters, intertidal and subtidal restoration areas would develop into living reefs that support benthic secondary productivity, including, but not limited to oysters/bivalve mollusks, annelid worms, shrimp, and crabs. Breakwaters would reduce shoreline erosion as well as marsh loss. If the Trustees select the project after consideration of public comment and a stipulated agreement is reached with BP, the early restoration project will be implemented by the Mississippi Department of Environmental Quality (MDEQ).

Consistency Analysis

Two of the four project locations included in the proposed Restoring Living Shorelines and Reefs in Mississippi Estuaries project are not within any designated System Unit and are therefore not subject to CBRA.

The other two project locations would occur within System Units R02 (Deer Island in Back Bay) and R01A (Graveline Bayou in Graveline Bay), and are subject to a Consistency Analysis under CBRA. Within Unit R02, the proposed action includes expanding an existing Mississippi Department of Marine Resources (MDMR) nearshore reef near Deer Island to create approximately 20 acres of subtidal reef habitat using suitable cultch material (e.g. limestone, crushed concrete, oyster shell or a combination thereof; Figure 2). Within Unit R01A, the proposed action includes restoring approximately 70 acres of subtidal reefs and 2 acres of intertidal reefs in Graveline Bay using suitable cultch material (e.g. limestone, crushed concrete, oyster shell or a combination thereof; Figure 3). Consequently, these activities are consistent with CBRA under the exception to limitations on expenditures for “[p]rojects for the study, management, protection, and enhancement of fish and wildlife resources and habitats, including acquisition of fish and wildlife habitats, and related lands, stabilization projects for fish and wildlife habitats, and recreational projects.” 16 U.S.C. § 3505(a)(6)(A). The purposes of CBRA are “to minimize the loss of human life, wasteful expenditure of Federal revenues, and the damages to fish, wildlife, and other natural resources associated with the coastal barriers along the Atlantic and Gulf Coasts...” 16 U.S.C. §3501(b). The Restoring Living Shorelines and Reefs in Mississippi Estuaries early restoration project is designed to restore natural resources injured by the *Deepwater Horizon* oil spill. Accordingly, this project is consistent with the purposes of the CBRA and falls within the CBRA exception discussed above.

We are requesting your concurrence with our consistency determination.

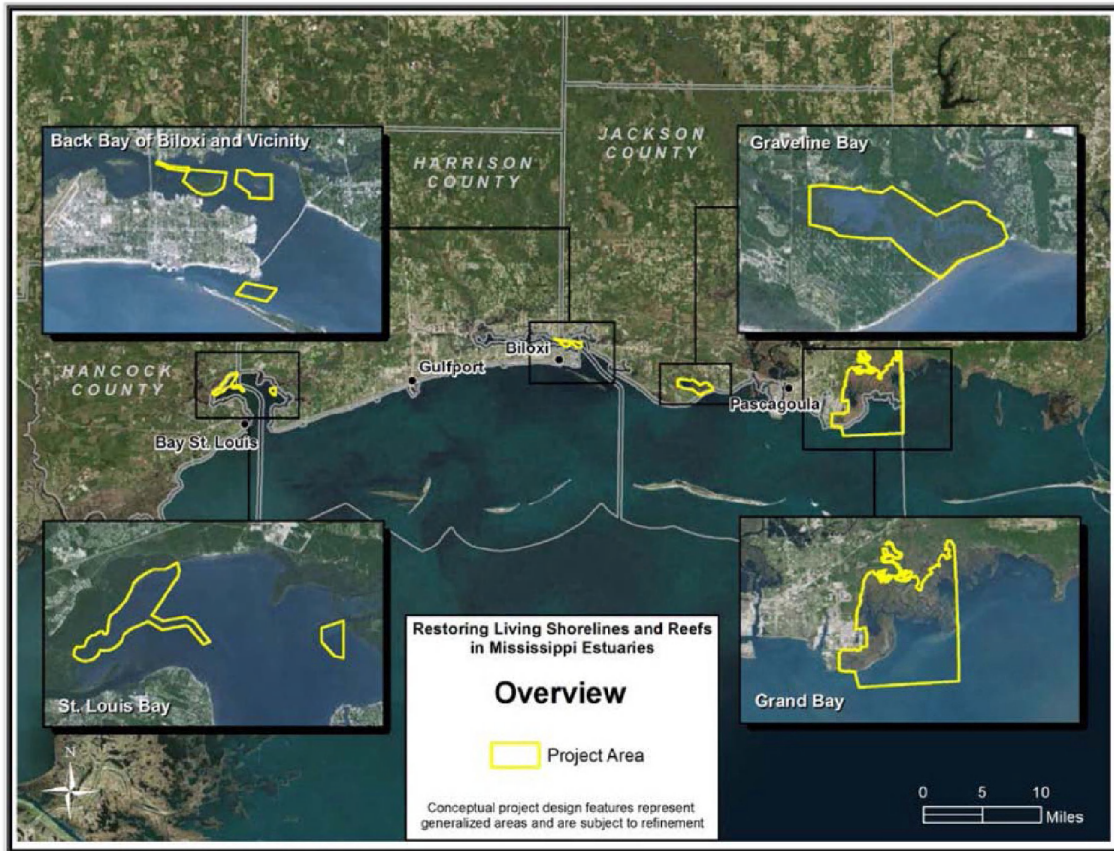


Figure 1. Restoring Living Shorelines and Reefs in Mississippi Estuaries. Project Locations.

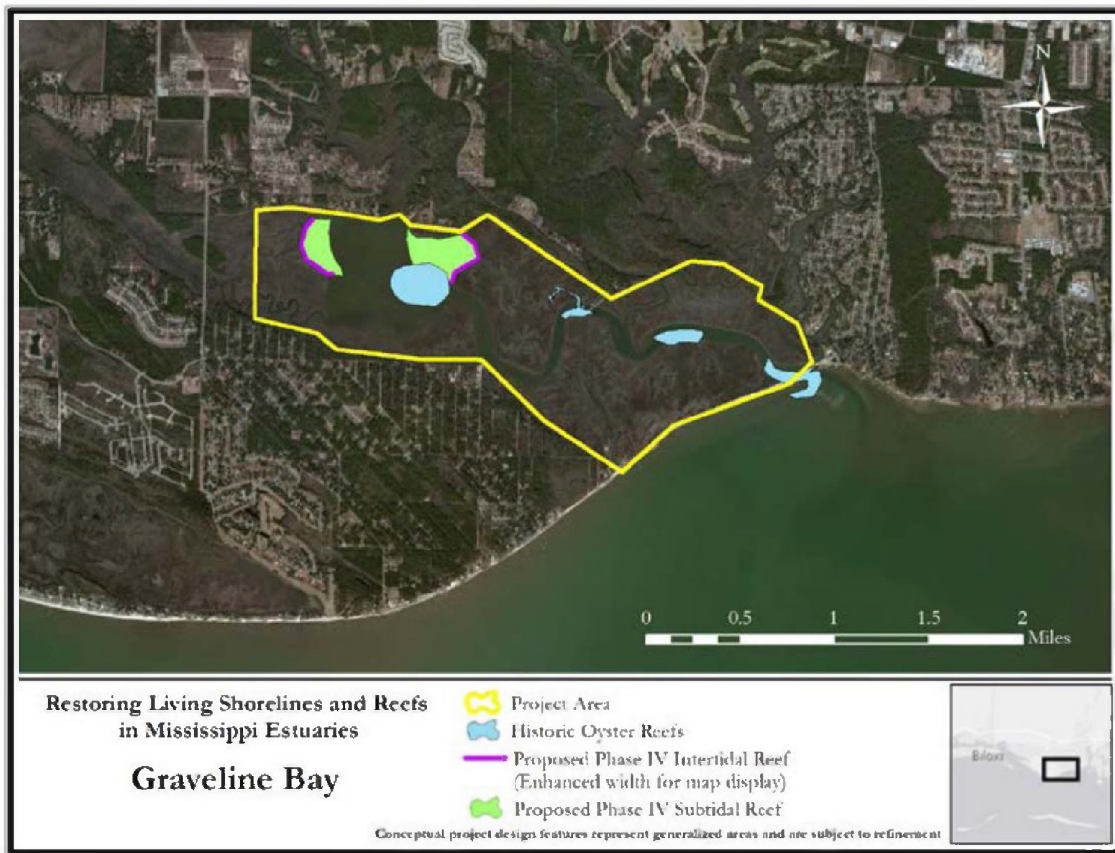


Figure 2. Graveline Bay Intertidal and Subtidal Reefs Project Area.

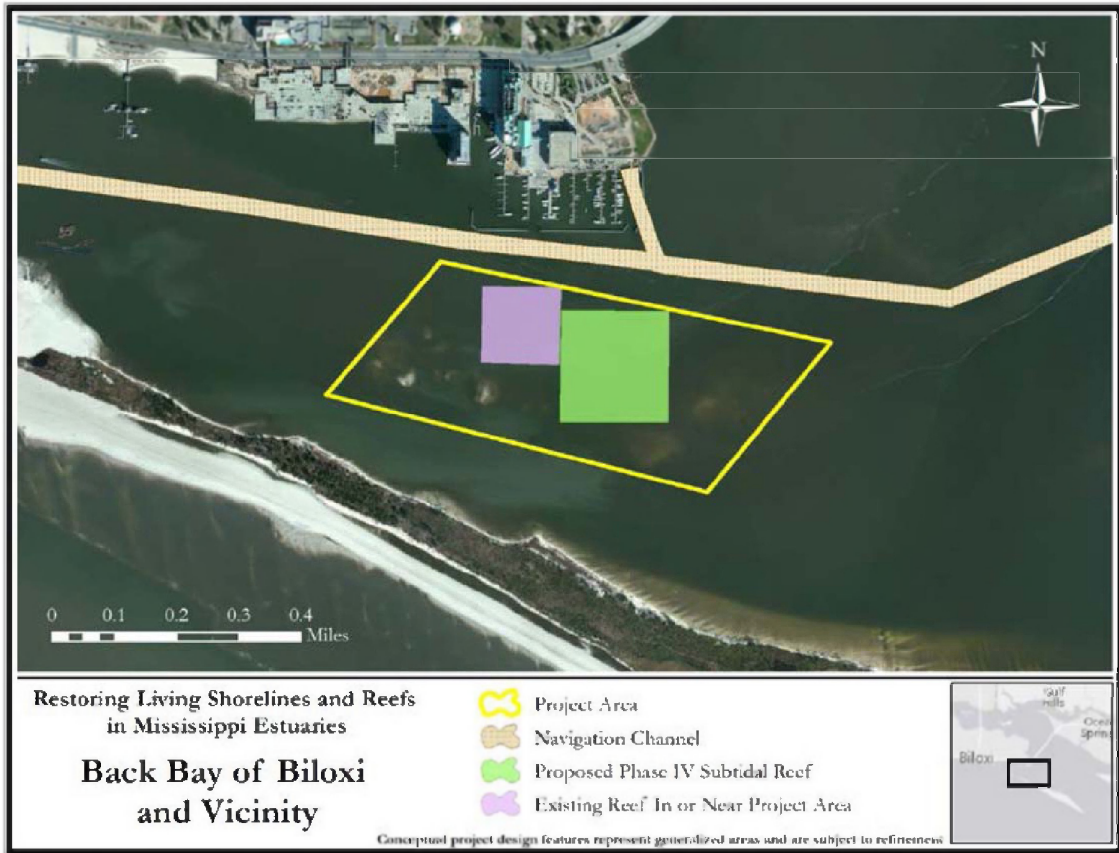


Figure 3. Deer Island Subtidal Reef Project Area.

Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore

This proposed project would involve implementing roadway improvements for pedestrians and bicyclists in the Davis Bayou Area of Gulf Islands National Seashore. In response to prior public scoping meetings conducted outside of the Early Restoration process, NPS developed two action alternatives for this project. The NPS Preferred Alternative would add multiple-use bicycle-pedestrian lanes to the existing road surface on Park Road and Robert McGhee Road. The other alternative would reduce the amount of automobile traffic in the park by limiting access to VFW Road during certain times of the day. Both alternatives would include two traffic-calming medians on Park Road. If the Trustees select the project after consideration of public comment and a stipulated agreement is reached with BP, the early restoration project will be implemented by the Department of the Interior, National Park Service (NPS).

Consistency Analysis

A small portion of the proposed project would occur at the tip of System Unit MS-02 and is subject to a Consistency Analysis under CBRA. Within Unit MS-02, the proposed action involves widening the existing road surface on Robert McGhee Road for recreational purposes, to accommodate multiple-use bicycle-pedestrian lanes. Consequently, these activities are consistent with CBRA under the exception to limitations on expenditures for “[p]rojects for the study, management, protection, and enhancement of fish and wildlife resources and habitats, including acquisition of fish and wildlife habitats, and related lands, stabilization projects for fish and wildlife habitats, and recreational projects.” 16 U.S.C. § 3505(a)(6)(A). The purposes of CBRA are “to minimize the loss of human life, wasteful expenditure of Federal revenues, and the damages to fish, wildlife, and other natural resources associated with the coastal barriers along the Atlantic and Gulf Coasts...” 16 U.S.C. §3501(b). The Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore early restoration project is designed to restore lost recreational use as a result of the *Deepwater Horizon* oil spill. Accordingly, this project is consistent with the purposes of the CBRA and falls within the CBRA exemption discussed above. We are requesting your concurrence with our consistency determination.

For more information about this project and to see a full copy of the Draft Phase IV Early Restoration Plan and Environmental Assessments, please visit <http://www.doi.gov/deepwaterhorizon/nrda/early-restoration-index.cfm>.



Figure 4. Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore. Site layout map.

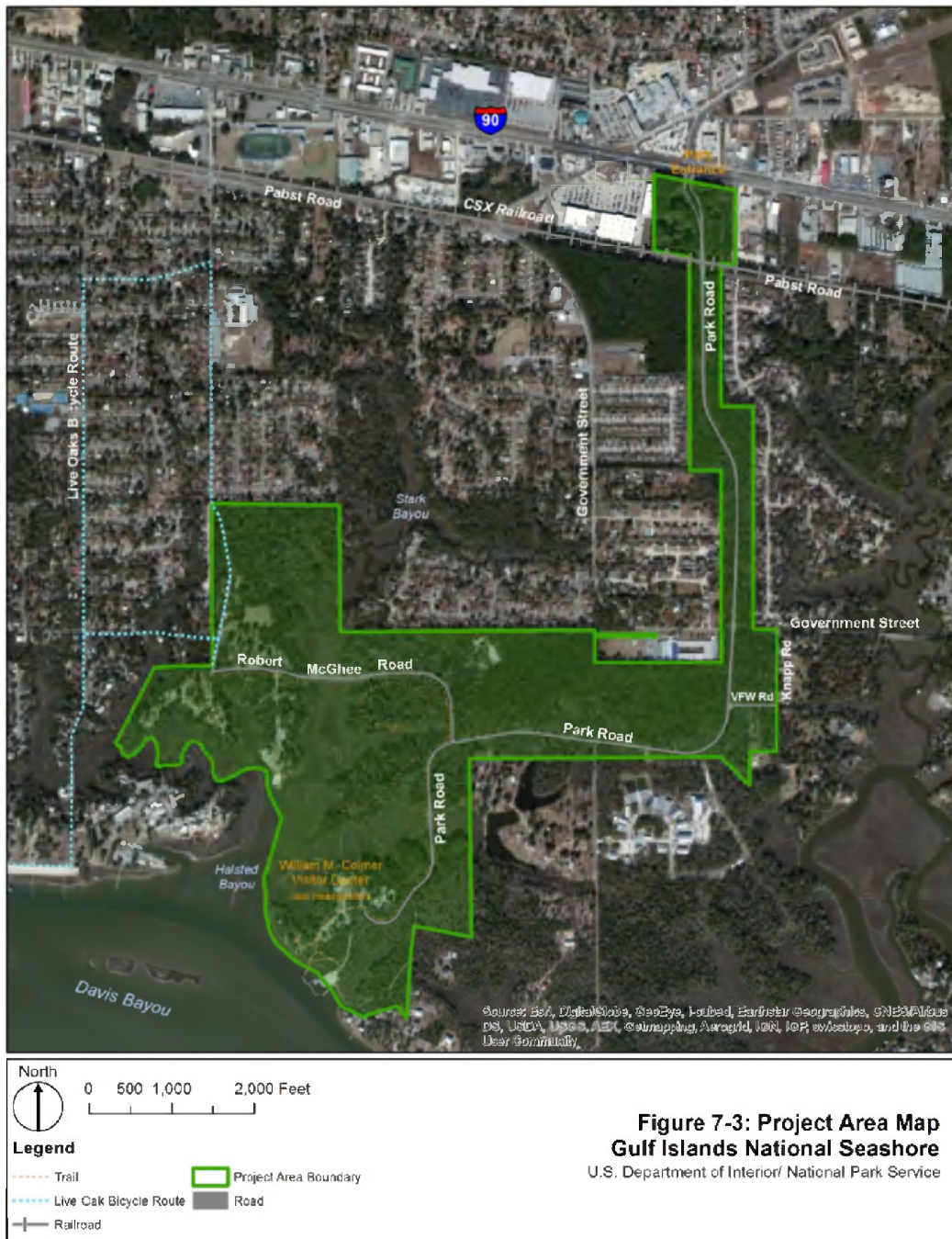


Figure 5. Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore. Project area map.



Figure 6. Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore. Alternative B (Preferred Alternative).



Source: Esri, DigitalGlobe, GeoEye, IGN, Aeris, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, Esri, Swisstopo, and the GIS User Community



Figure 7-5: Alternative C
Gulf Islands National Seashore
 U.S. Department of Interior/ National Park Service

Figure 7. Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, Gulf Islands National Seashore. Alternative C.



Mills, Ashley <ashley_mills@fws.gov>

CBRA for Deepwater Horizon MS Project

Stephen Ricks <stephen_ricks@fws.gov>

Wed, Aug 26, 2015 at 3:14 PM

To: Ashley Mills <ashley_mills@fws.gov>

Cc: David Felder <david_felder@fws.gov>, Paul Necaie <paul_necaie@fws.gov>

Ashley,

The Mississippi Ecological Service's Field Office has reviewed your CBRA consistency determination for two projects proposed for Deepwater Horizon NRDA early restoration funding: Restoring Living Shorelines and Reefs in Mississippi Estuaries, and Bike and Pedestrian Use Enhancements at Davis Bayou, Mississippi District, GUIS. We concur with your determination that these projects are consistent with the purposes of the CBRA and fall within the CBRA exemptions as discussed in your letter.

We have no additional concerns or recommendations regarding these two projects as they relate to the CBRA.

Please let me know if you have any questions.

Stee

From: Mills, Ashley [mailto:ashley_mills@fws.gov]

Sent: Wednesday, August 26, 2015 10:12 AM

To: Stephen Ricks

Subject: Re: CBRA for Deepwater Horizon MS Project

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