



United States Department of the Interior

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In Reply Refer To:
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August 9, 2017

Memorandum

To: Deputy *Deepwater Horizon* Department of the Interior Natural Resource Damage Assessment and Restoration (NRDAR) Case Manager

From: Field Supervisor, Chuck Ardizzone 

Subject: Informal Consultation for the Proposed Follets Island Habitat Acquisition, Brazoria County, Texas

This memorandum acknowledges our receipt of your memorandum on July 28, 2017. This response is in accordance with Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA). We have reviewed your proposed project and concur with your July 28, 2017 determinations for endangered and threatened species, their critical habitat, and at-risk species (should they become listed). We based our concurrence on the justification below. Where more than one justification was applicable, multiple boxes are checked and additional comments are added.

- Species-specific surveys were conducted and there are no endangered, threatened, or at-risk species or designated critical habitat on site. Comments: _____

- Endangered, threatened, and at-risk species are not known from and are not expected to occur within the vicinity of the proposed project. Comments: _____

- Appropriate avoidance and minimization measures have been included within the project description to ensure that any effects to listed species (or at-risk species should they become listed) are insignificant or discountable. Comments: _____

- Critical habitat is not present on site and does not occur within the vicinity of the proposed project. Comments: _____

- Appropriate avoidance and minimization measures have been included within the project description to ensure PCEs and/or critical habitat will not be adversely modified or destroyed. Comments:
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- The proposed project is completely beneficial to the listed or at-risk species and/or critical habitat considered. Comments: Follets Island is situated between two units of piping plover critical habitat and includes an area adjacent to San Luis Pass, which is a washover habitat preferred by these shorebirds. A 2016 report by Vale found plovers use Follets Island for roosting and feeding during the non-breeding season as well as nearby Galveston Island where they are present in higher numbers where vehicles are prohibited. Habitat improvement by TPWD will increase the potential for greater utilization of Follets by plovers, and possibly Kemp's ridley and loggerhead sea turtles since these two turtle species have nested on the western end of the island. However, to reduce vehicle use on the beach and bayside, we recommend a vehicle management plan be prepared and implemented for the benefit of piping plovers, red knots and sea turtles.

Unless the project description changes, or new information reveals that the effects of the proposed action may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the ESA is necessary.

If you have questions, please contact Susan Stanley at (281) 286-8282 ext. 229 or email susan_stanley@fws.gov.

Vale, K. 2016. Investigation of factors influencing piping plover distribution along the Upper Texas Coast. M.S. Thesis. University of Houston-Clear Lake, Texas.