



MEMORANDUM FOR: FILE

FROM: Christy Fellas, DWH Environmental Compliance Coordinator
NOAA Restoration Center, Southeast Region

DATE: July 28, 2017

SUBJECT: Projects Proposed in Texas Trustee Implementation Group Restoration Plan #1 and Environmental Assessment: ESA No Effect Determination

Under the Endangered Species Act (ESA) Section 7(a)(2), each Federal agency shall ensure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered or threatened species, or destroy/adversely modify designated critical habitat. If a Federal agency determines that a Federal action will have no effect on ESA-listed species or designated critical habitat, then the Federal agency is not required to consult with NMFS for purposes of ESA. This memo is not intended to include a summary of DOI protected species for the determinations provided below.

Based on my review of project materials (Summer 2017) in coordination with representatives from NOAA's Protected Resource Division (PRD) in the South East Regional Office (SERO), the NOAA Restoration Center determined that the land acquisition and engineering and design projects proposed for implementation in the Texas TIG Restoration Plan/Environmental Assessment will have no effect to ESA-listed species under the jurisdiction of National Marine Fisheries Service because the projects are restricted to planning/design and land acquisition. These projects will not require further ESA evaluation. Should any project be modified in a way that could adversely impact ESA, this determination will be reevaluated as appropriate.

Proposed Projects:

- Follets Island Habitat Acquisition
- Midcoast Habitat Acquisition
- Bahia Habitat Coastal Corridor Acquisition
- Laguna Atascosa Habitat Acquisition
- Oyster Restoration Engineering and Design
- Bird Island Cove Habitat Restoration Engineering and Design
- Essex Bayou Habitat Restoration Engineering and Design
- Dredge Material Planning for Wetland Restoration Engineering and Design