Joseph, July 14, 2020

The DOI Deepwater Horizon Gulf Restoration Office is working through various environmental compliance consultations on post-settlement proposed restoration alternatives. We are now working on the Coastal Barrier Resources Act consistency determinations for four proposed projects. The Louisiana Trustee Implementation Group (LA TIG) has evaluated these projects as potential restoration projects under the Louisiana Trustee Implementation Group Final Restoration Plan and Environmental Assessment #5: Living Coastal and Marine Resources – Marine Mammals and Oysters. Public comment for this plan closed on April 20, 2020. If the LA TIG selects these projects, after consideration of public comment, the LA TIG partners would implement the projects.

We used the Coastal Barrier Resources System mapper – Beta (http://www.fws.gov/cbra/Maps/Mapper.html [accessed June 15, 2020]) to determine if the proposed actions are located within an Otherwise Protected Area (OPA) or within a System Unit (CBRS). If the proposed action occurs in an Otherwise Protected Area or outside of a System Unit, no additional analysis was developed.

The table below summarizes the proposed projects and our CBRA consistency determinations. Additional project information provided below and in Figures 1-3.

Proposed Project	CBRA Consistency Determination
Marine Mammal Stranding Network	Includes the coastal regions of the entire state of Louisiana, including lakes, bays, sounds, and estuaries. Potential actions could occur within the following CBRS unites and OPAs: CBRS Units: LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 OPAs: LA-03P, LA-04P, LA-05P, LA-08P
Brood Reef Oyster Restoration Project	Programmatic activities include the following Louisiana parishes: Saint Bernard; Plaquemines; Jefferson; Lafourche; Terrebonne; Saint Mary; Iberia; Vermilion; and/or Cameron. Potential actions could occur within the following CBRS units and OPAs: CBRS Units: LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 OPAs: LA-03P, LA-04P, LA-05P, LA-08P
Hatchery-based Oyster Restoration	Programmatic activities include the following Louisiana parishes: Saint Bernard; Plaquemines; Jefferson;

	Lafourche; Terrebonne; Saint Mary; Iberia; Vermilion; and/or Cameron. Potential actions could occur within the following CBRS units and OPAs: CBRS Units: LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 OPAs: LA-03P, LA-04P, LA-05P, LA-08P
Cultch Plant Project	Programmatic activities include the following Louisiana parishes: Saint Bernard; Plaquemines; Jefferson; Lafourche; Terrebonne; Saint Mary; Iberia; Vermilion; and/or Cameron. Potential actions could occur within the following CBRS units and OPAs: CBRS Units: LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 OPAs: LA-03P, LA-04P, LA-05P, LA-08P

1. Marine Mammal Stranding Network Response Project

This project aims to address gaps and enhance capacity in the current capabilities of the Marine Mammal Stranding Network (MMSN) in Louisiana to improve timeliness of response, enhance survival, and improve diagnosis of illness and cause of death in cetaceans to better understand natural and anthropogenic threats, which will inform restoration planning, monitoring and adaptive management. A Stranding Coordinator for Louisiana will be implemented to coordinate with federal and state agencies, improve existing partnerships, and identify additional partners and resources to enhance capacity for stranding response. This project will enhance equipment and resources to allow the Stranding Coordinator to respond and/or facilitate the response to stranded, injured, entangled, and out of habitat cetaceans, and will acquire resources (e.g., personnel, equipment, supplies, etc.) and improve rehabilitation capabilities for authorized MMSN partners in the State. This project will also enhance capabilities to store and analyze samples collected from stranded cetaceans, to improve diagnosis of illness and cause of death for marine mammals in Louisiana, and develop annual reports that compile results of stranding investigations and necropsies over the life of the project to inform future restoration projects that can mitigate stressors resulting in strandings.

Consistency Analysis

The proposed actions are within System Units LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 and OPA LA-03P, LA-04P, LA-05P, LA-08P. Therefore, this project is subject to a Consistency Analysis under CBRA. Within the System units, there will be no in water work and the proposed action is to enhance capabilities, acquire resources, and enhance capacity for stranding response. Consequently, this activity is consistent with CBRA per exemption 16 U.S.C. 3505(a)(6)(A) for "Projects 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." 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). This 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 exemption discussed above.

We are requesting your concurrence with our consistency determination.

2. Brood Reef Oyster Restoration Project

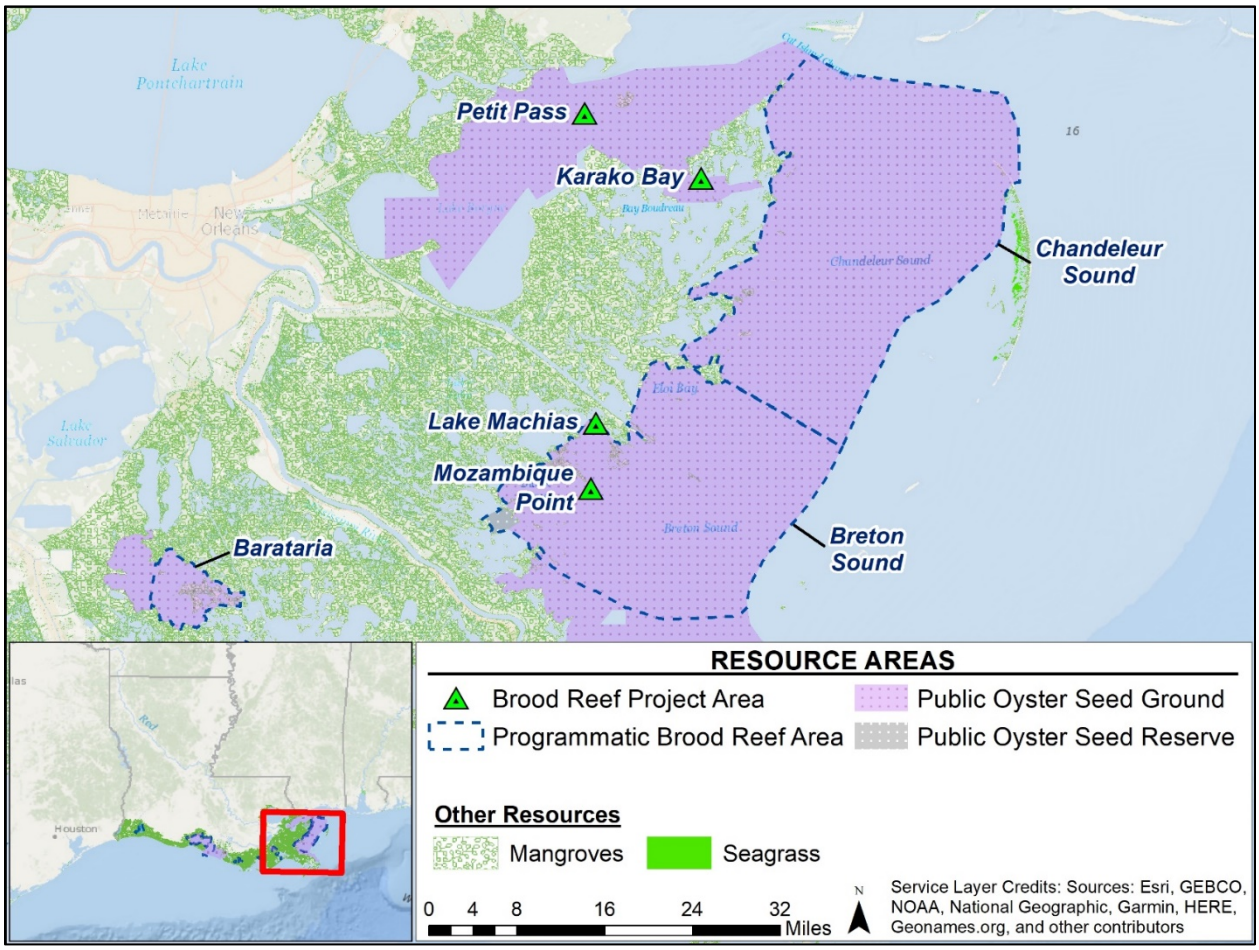
The objective of the brood reef oyster restoration project is to construct a network of spawning stock oyster reefs to increase spawning oyster populations and offset impacts resulting from exposure to Deepwater Horizon (DWH) oil, dispersant, and response activities. The goal of this alternative is to develop a network of brood reefs that will serve as spawning stock to improve and maintain oyster production on Louisiana's Public Oyster Seed Grounds (POSG) and Public Oyster Seed Reservations (POSR). The proposed programmatic project entails constructing multiple brood reefs east of the Mississippi River, including four in the Lake Machais/Mozambique Point and Petit Pass/Bay Boudreaux area, and would programmatically plan for inclusion of up to 20 additional brood reefs in Chandeleur Sound, and also within the footprint of POSG and POSR in the future. Potential projects that would interact with the proposed spawning stock reefs include the 2018 Grand Banks cultch plant and the 2017 Lake Fortuna cultch plant, which would benefit from the increased reproductive potential provided by adjacent spawning stock reefs.

Consistency Analysis

The proposed actions are within System Units LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 and OPA LA-03P, LA-04P, LA-05P, LA-08P. Therefore, this project is subject to a Consistency Analysis under CBRA. Within the System units, the proposed action is brood reef construction on POSG and POSR by depositing riprap cultch material using a barge and excavator. Consequently, this activity is consistent with CBRA per exemption 16 U.S.C. 3505(a)(6)(A) for "Projects 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." 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). This 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 exemption discussed above.

We are requesting your concurrence with our consistency determination.

Figure 1. Map showing the Brood Reef Oyster Restoration project area in coastal Louisiana.



3. Hatchery-based Oyster Restoration Project

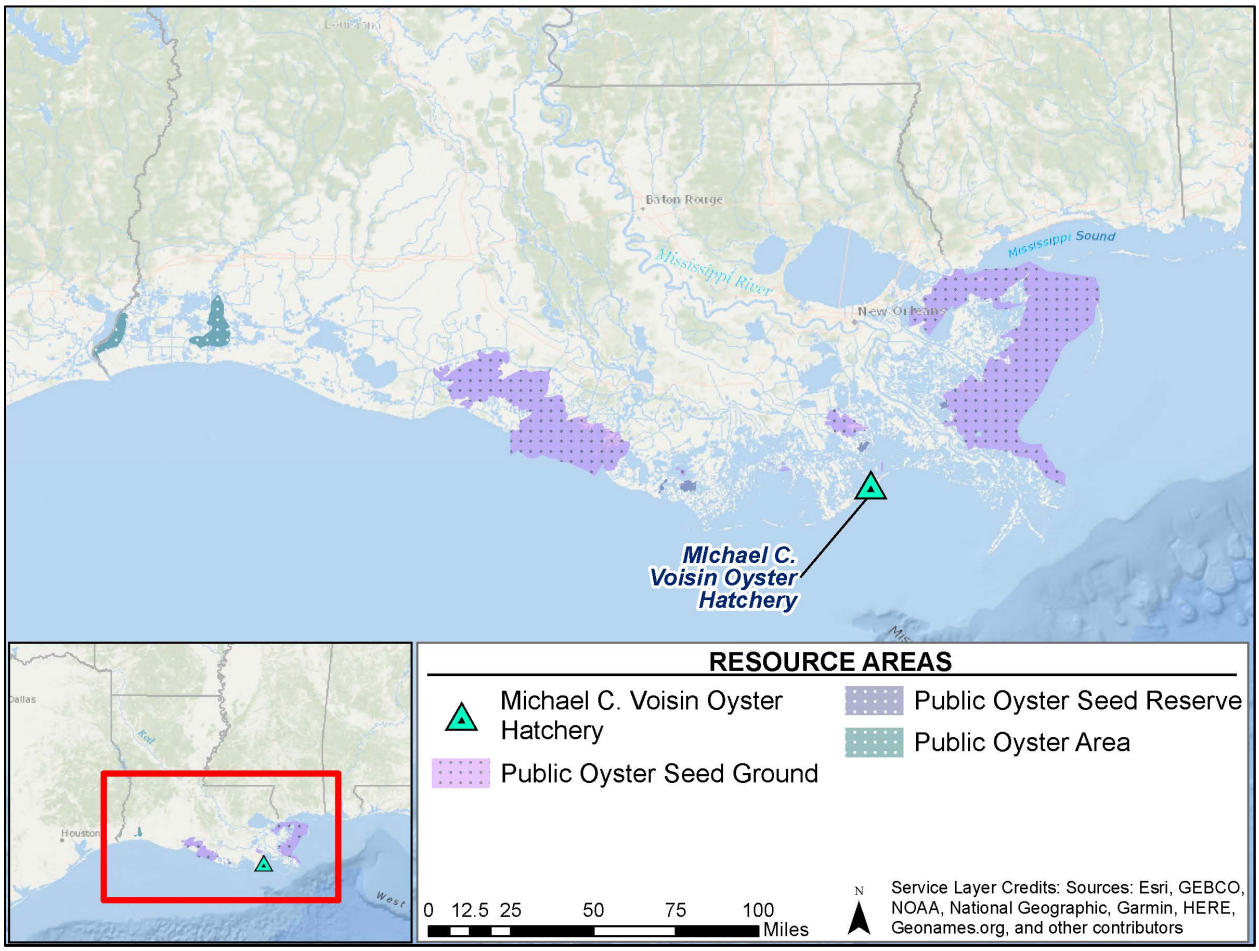
The Hatchery-based Oyster Restoration Project would support multiple hatchery-based and hatchery-reliant projects that would help to replenish Louisiana's natural oyster populations lost due to the DWH oil spill response and related freshwater releases. The proposed project includes (1) providing supplemental funding to support 10 years of operations at an existing and currently operating hatchery; and (2) providing larvae and seed resources for POSG restoration and water-based oyster culture. This project would contribute to the enhancement of natural oyster reefs and increased oyster abundance, which will improve ecosystem services that result from high oyster abundance such as reduction in shoreline erosion, improved water quality, increased biodiversity of reef-dependent organisms, and recycling of nutrients.

Consistency Analysis

The proposed actions are within System Units LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 and OPA LA-03P, LA-04P, LA-05P, LA-08P. Therefore, this project is subject to a Consistency Analysis under CBRA. Within the System units, the proposed action is deployment of oyster spat onto POSG or POSR, with the spat spread by hand from a vessel. Consequently, this activity is consistent with CBRA per exemption 16 U.S.C. 3505(a)(6)(A) for "Projects 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." 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). This 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 exemption discussed above.

We are requesting your concurrence with our consistency determination.

Figure 2. Map showing the Hatchery-based Oyster Restoration Project area in coastal Louisiana.



4. Cultch Plant Project

The Cultch Plant project would entail placing cultch at several Louisiana locations with relic reefs. Targeted sites include one on POSG in the Grand Banks area of Mississippi Sound and one on the Caillou Lake (also known locally as Sister Lake) POSR in Terrebonne Parish. The project would also programmatically plan for inclusion of additional cultch plants within the Biloxi Marsh Complex in St. Bernard Parish and within the footprints of other POSGs or POSRs in the future. Where opportunities exist, cultch material will be placed as close to the shoreline as possible to promote restoration of shallow water fringing oyster reefs. Potential long-term benefits from increasing available cultch material include increased oyster production as well as oyster population connectivity, resilience, and stability. Healthy, interconnected oyster populations form reefs that provide the hard substrate needed for oyster larvae to settle, grow, and sustain the population. In addition to providing habitat for oysters, these reefs serve as habitat for a variety of marine organisms, from small invertebrates to large recreationally and commercially important species. Oyster reefs provide structural integrity, improve water quality, and depending on proximity to the shoreline, potentially reduce coastal erosion (DWH NRDA Trustees, 2017). The proposed cultch plants may also potentially provide benefit to and derive benefit from other oyster restoration projects in the region. For example, spawning stock reefs in the Petit Pass area may provide a source of oyster larvae for the Grand Banks cultch plant. The planned component of the cultch plant alternative would construct two cultch plants, one on the POSG in the Grand Banks area of Mississippi Sound, and another on the POSR in Caillou Lake. In addition to the planned components, this alternative would include a programmatic component. Potential sites for additional oyster cultch plants would be located in the Biloxi Marsh Complex and on any other state-managed POSG or POSR in Louisiana.

Consistency Analysis

The proposed actions are within System Units LA-01, LA-02, LA-07, LA-09, LA-10, S01, S01A, S02, S03, S04, S05, S06, S07, S08, S09, S10, S11 and OPA LA-03P, LA-04P, LA-05P, LA-08P. Therefore, this project is subject to a Consistency Analysis under CBRA. Within the System units, the proposed action is placement of limestone cultch material from a barge with a high-pressure water spray. Consequently, this activity is consistent with CBRA per exemption 16 U.S.C. 3505(a)(6)(A) for "Projects 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." 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). This 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 exemption discussed above.

We are requesting your concurrence with our consistency determination.

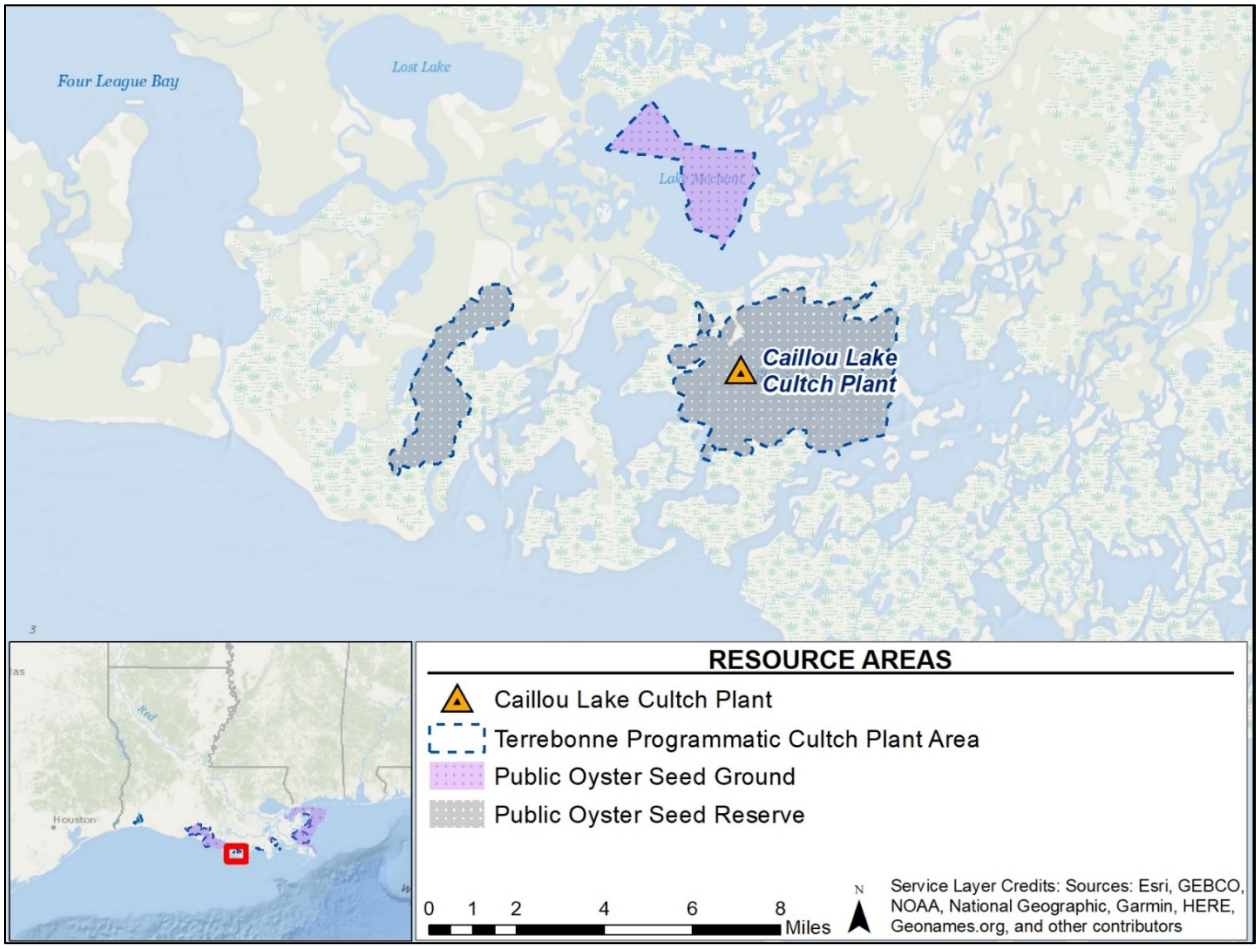



Figure 3. Map showing the Cultch Plant project area in coastal Louisiana.