



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
1875 Century Boulevard  
Atlanta, Georgia 30345



In Reply Refer To:  
FWS/IR2&4/ES

Memorandum

January 18, 2022

To: Compliance Supervisor, Deepwater Horizon Gulf Restoration Office

From: U.S. Fish and Wildlife Service Regional CBRA Coordinator for IR 2&4 (L4)

Subject: Coastal Barrier Resources Act Consistency Determination Request for Implementation Of Eight Restoration Projects proposed in the Region Wide Trustee Implementation Group's Restoration Plan #1.

We reviewed the information provided in the October 6, 2021 Memorandum (attached), and determined the referenced actions/projects as numbered and titled. Please note that some Projects have "Additional Information/Comments" intended to help maintain a consistency determination where appropriate.

Project 1: [B] Conservation and Enhancement of Nesting and Foraging, Component 1: Chandeleur Islands, St Bernard and Plaquemines Parishes, LA. Planning, habitat and species surveys. Project located within OPA Unit: LA-03 P.  
FWS#04EF3000-2022-CPA-0009

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
- Meets different CBRA exception(s) than the one(s) selected above (see additional information/comments below) and requires no further case-by-case consultation
- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments: *This project is a design phase only. Consideration of indirect impacts to other CBRS or OPA units may be needed prior to physical implementation of this project.*

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INTERIOR REGION 2  
SOUTH ATLANTIC-GULF

ALABAMA, FLORIDA, GEORGIA, NORTH CAROLINA,  
PUERTO RICO, SOUTH CAROLINA, TENNESSEE,  
US VIRGIN ISLANDS

INTERIOR REGION 4  
MISSISSIPPI BASIN

ARKANSAS, IOWA, MISSOURI,  
MISSISSIPPI, LOUISIANA

Project 2: [B] Conservation and Enhancement of Nesting and Foraging Habitat for Birds, Component 2: Pilot Town, Baldwin, AL. Land acquisition. Project located within CBRS Unit Q01.

FWS# FWS#04EF3000-2022-CPA-0010

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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Additional Information/Comments:

Consultation mentions acquisition for bird nesting and recreation. Work to remove debris-asphalt, old pipes should occur outside of important nesting seasons for birds and sea turtles if possible but we assume work to be coordinated with Bon Secour NWR staff to remove potential harm. Long term benefits once managed by NWR with protective provisions of species and recreation for people.

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Project 3: [B] Conservation and Enhancement of Nesting and Foraging Birds, Component 4: Matagorda Bay Bird Island (Chester island), TX. Located in OPA Unit T07P. CBRA consult handled by legacy R2.  
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Project 4: [B] Conservation and Enhancement of Nesting and Foraging Birds, Component 5: Round Island, Jackson, MS. Habitat enhancement, predator control and debris removal. Project located within CBRS Unit R01.

FWS#04EF3000-2022-CPA-0011

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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Additional Information/Comments:

No additional comments.  
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Project 5: [B] Bird Nesting and Foraging Area Stewardship, Gulf Coast Counties, FL, MS, LA, AL, and TX. Stewardship, monitoring, predator control for shorebird species year around. Project located within multiple CBRS and OPA Units.

FWS#04EF3000-2022-CPA-0012

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

No additional comments.

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Project 6: [B] Reducing Marine Debris Impacts on Birds and Sea Turtles. Includes educational components and summarizing of hot spots, types of debris, amount of injured birds and animals reported. Project within multiple Gulf Coast and Atlantic Coast Counties. Project located within multiple CBRS and OPA Units. FWS#04EF3000-2022-CPA-0013

- Located within OPA and not subject to a consistency determination.
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

No additional comments.

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Project 7: [MM] Reducing Injury and Mortality of Bottlenose Dolphins by Utilizing Fishery Surveys, Social Science, and Collaborative Problem Solving. Project is primarily educational, management, protection, and enhancement actions geared to reduced impacts to dolphins associated with fishing--entanglements, illegal feedings. Project within multiple Gulf Coast and Atlantic Coast Counties. Project located within multiple CBRS and OPA Units.

FWS#04EF3000-2022-CPA-0014

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

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Project 8: [MM] Voluntary Modifications to Commercial Shrimp Lazy Lines to Reduce Dolphin Entanglements. Project in Texas- Galveston County; Louisiana- Plaquemines Parish; Florida- Bay County. Project located within CBRS Units: TX-04; LA S01, S01A, S02; and FL P31. OPA Units: TX-05P; LA- none; MS-01P; FL- P31P.  
FWS#04EF3000-2022-CPA-0015

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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

No additional comments.

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Project 9: [MM] Enhance Marine Mammal Stranding Network Diagnostic Capabilities and Consistency across the Gulf of Mexico. Projects located within multiple Gulf Coast Counties. Project located within multiple CBRS and OPA Units.  
FWS#04EF3000-2022-CPA-0016

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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Additional Information/Comments:

Field recovery actions should abide by posted areas intending to protect nesting birds unless dealing with a live stranding. Actions to minimize disturbances to nesting birds are encouraged when possible during live strandings and disturbances cannot be avoided.

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Project 10: [O] Improving Resilience for Oysters by Linking Brood Reefs and Sink Reefs, Component 2. Project located in LA, St. Bernard Parish. Project located within CBRS Units LA-01, LA-02.

FWS#04EF3000-2022-CPA-0017

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

It's unclear what the reef materials are constructed from. Summary states "large, high-relief materials" and will be "constructed with the use of marine barges". If reef sites fail to produce oysters in expected timeframe and is deemed unsuccessful, any unnatural materials shall be removed upon completion of the restoration attempts.

Project 11: [O] Improving Resilience for Oysters by Linking Brood Reefs and Sink Reefs, Component 3. Project located in MS, Hancock County. Project located within CBRS Unit MS-04.

FWS#04EF3000-2022-CPA-0018

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

It's unclear what the reef materials are constructed from. Summary states "large, high-relief materials" and will be "constructed with the use of marine barges". If reef sites fail to produce oysters in expected timeframe and is deemed unsuccessful, any unnatural materials shall be removed upon completion of the restoration attempts.

Project 12: [O] Improving Resilience for Oysters by Linking Brood Reefs and Sink Reefs. Component 4: Project located in AL, Mobile County. **Project not located in CBRS or OPA Units-no consistency determination is needed.**

FWS#04EF3000-2022-CPA-0019

- Located within OPA and not subject to a consistency determination.
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Additional Information/Comments:

Out or CBRA, but recommended if appropriate: It’s unclear what the reef materials are constructed from. Summary states “large, high-relief materials’ and will be “constructed with the use of marine barges”. If reef sites fail to produce oysters in expected timeframe and is deemed unsuccessful, any unnatural materials shall be removed upon completion of the restoration attempts.

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Project 13: [O] Improving Resilience for Oysters by Linking Brood Reefs and Sink Reefs.  
Component 5: Project located in FL, Dixie and Levy Counties. Project located in CBRS Unit P25 and OPA Unit P25P.  
FWS#04EF3000-2022-CPA-0020

- Located within OPA and not subject to a consistency determination.
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Additional Information/Comments:

Coordination with FL Fish and Wildlife Conservation Commission (FWC) to avoid disturbance to nesting Oystercatcher nests during the spring/summer months and considerations to minimize disturbance to large flocks of wintering and migratory shore and water birds might be needed. Please coordinate with FWC.

It’s unclear what the reef materials are constructed from. Summary states “large, high-relief materials’ and will be “constructed with the use of marine barges”. If reef sites fail to produce oysters in expected timeframe and is deemed unsuccessful, any unnatural materials shall be removed upon completion of the restoration attempts.

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Project 14: [ST] Regionwide Enhancement to the Sea Turtle Stranding and Salvage Network,  
Component 1: Enhancing Response, Coordination, and Preparedness in the Gulf of Mexico.  
Project located multiple Gulf of Mexico Counties.. Project located in multiple CBRS and OPA Units.  
FWS#04EF3000-2022-CPA-0021

- Located within OPA and not subject to a consistency determination.
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

Field recovery actions should abide by posted areas intending to protect nesting birds unless dealing with a live stranding. Actions to minimize disturbances to nesting birds are encouraged when possible during live strandings and disturbances cannot be avoided.

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Project 15: Reducing Sea Turtle Bycatch at Recreational Fishing Sites. Project located multiple Gulf of Mexico Counties. Project located in multiple CBRS and OPA Units.  
FWS#04EF3000-2022-CPA-0022

- Located within OPA and not subject to a consistency determination.
- Meets the selected CBRA exception(s) and requires no further case-by-case consultation
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Additional Information/Comments:

Consider combining with outreach on detrimental impacts to feeding birds (pelicans, herons, gulls) at the same Recreational Fishing Sites where appropriate.

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Project 16: Pilot Implementation of Automatic System (AIS) in the Gulf of Mexico Inshore Fishery to Reduce Sea Turtle Bycatch. Project located multiple Gulf of Mexico Counties. Project located in multiple CBRS or OPA Units.  
FWS#04EF3000-2022-CPA-0023

- Located within OPA and not subject to a consistency determination.
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- Does not meet the selected CBRA exception or requires separate case-by-case consultation (see additional information/comments below)

Additional Information/Comments:

No additional comments.

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Project 17: Restore and Enhance Sea Turtle Nest Productivity on Gulf of Mexico Beaches. Project located in multiple Gulf of Mexico Counties. Project located in multiple CBRS and OPA Units.

FWS#04EF3000-2022-CPA-0024

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Additional Information/Comments:

Sand placement projects must be specifically placed in areas that are targeted as beneficial for nesting sea turtles.

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January 21, 2022

Patricia Kelly, Regions 2 & 4 CBRA Coordinator

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Date

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