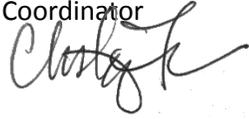




UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: May 7, 2025

SUBJECT: TX TIG Restoration Plan #3 Streamlined ESA Compliance

The Texas TIG has selected six preferred restoration projects, also called restoration alternatives, in the draft TX TIG Restoration Plan #3: Jocelyn Nungaray National Wildlife Refuge (NWR) Roberts Mueller Tract Wetland Restoration, Goose Island State Park Cells Wetland Restoration, Lower Neches Wildlife Management Area (LNWMA) Old River Unit Wetland Restoration, McFaddin NWR Willow Lake Terraces, San Bernard NWR Sargent Oil Field Wetland Restoration, and Texas Point NWR Wetland Restoration. These projects focus on the beneficial use of dredged material to restore and conserve wetlands, coastal, and nearshore habitats.

The National Marine Fisheries Service (NMFS) has developed a process described in the Framework Programmatic Biological Opinion (as amended) on the Deepwater Horizon (DWH) Oil Spill Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement (Opinion; SERO-2015-00013; SER-2015-17459). In that Opinion, it was determined that specific restoration actions are not likely to adversely affect NMFS-managed ESA-listed species or their designated critical habitats provided that all applicable Project Design Criteria (PDCs) are incorporated into the project design.

Based on the Biological Evaluation forms and PDC checklist, NMFS has determined that the six preferred restoration projects meet the criteria for "Marsh Creation, Maintenance or Enhancement" as described in Appendix A of the Opinion (as amended). This concludes the streamlined consultation process under the ESA for species under NMFS's purview for the subject projects. Consultation must be reinitiated if a take occurs or if new information reveals effects of the action not previously considered, if the identified action is subsequently modified in a manner that causes an effect to listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the identified action.

As of April 2025, the NOAA Restoration Center will review restoration actions and confirm they meet the PDCs in the Opinion. Annual reports summarizing projects covered by the Opinion will be sent to the Protected Resources Division at NMFS Southeast Regional Office.