



TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

May 25, 2022

Tim Landers  
U.S. Environmental Protection Agency  
Office of Wetlands, Oceans, and Watersheds  
DWH NRDA Team  
Washington, D.C. 20460

**Re: Deepwater Horizon Oil Spill Texas Trustee Implementation Group Draft Restoration Plan/Environmental Assessment #2: Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds (Draft RP/EA #2)**  
**Projects located in Texas Coastal Management Zone**  
**Texas CMP#: 22-1192-F2**

Dear Mr. Landers:

The Deepwater Horizon (DWH) Oil Spill Texas Trustee Implementation Group (TIG) is comprised of federal and state Trustees: the U.S. Department of the Interior (DOI), the National Oceanic and Atmospheric Administration (NOAA), the U.S. Department of Agriculture (USDA), the U.S. Environmental Protection Agency (EPA), Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality. The Texas TIG is proposing thirteen projects for implementation in a restoration plan titled Deepwater Horizon Oil Spill Texas Trustee Implementation Group Draft Restoration Plan/Environmental Assessment #2: Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds (Draft RP/EA #2). Twelve of the proposed projects require consistency review.

Wetlands, Coastal, and Nearshore Habitats projects under review are: Bird Island Cove Habitat Restoration – Construction, Bahia Grande Channel F Hydrologic Restoration, Follets Island Habitat Acquisition Phase 2 and Galveston Island Habitat Acquisition. The Nutrient Reduction project under review Petronila Creek Watershed Nutrient Reduction Initiative. The Oyster project under review is Landscape Scale Oyster Restoration in Galveston Bay. Sea Turtle projects under review are the Upper Texas Coast Sea Turtle Rehabilitation Facility and the Lancha Sea Turtle Mitigation Plan. Bird projects under review are: Laguna Vista Rookery Island Habitat Protection, Jones Bay Oystercatcher Habitat Restoration, San Antonio Bay Bird Island and Texas Breeding Shorebird and Seabird Stewardship.

On February 25, 2022, the EPA published the Notice of Availability of the Deepwater Horizon Oil Spill Texas Trustee Implementation Group Draft Restoration Plan/Environmental Assessment #2:

Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds in the Federal Register. On February 22, 2022, the EPA submitted a consistency determination to the GLO, as required for proposed federal activities in the state's coastal zone. EPA's Consistency Determination asserted that the proposed activities were consistent, to the maximum extent practicable, with the applicable, enforceable policies of the Texas Coastal Management Program (TCMP). Upon being deemed administratively complete the GLO posted the matter for public notice and comment in the Texas Register. The GLO did not receive any comments.

After close coordination between EPA and GLO staff, GLO can confirm that at this phase, the projects are consistent to the maximum extent practicable with the TCMP. Because the plan is at the EA stage, detailed information about project design and construction, and the potential effects on coastal resources, has not yet been generated for some alternatives. For the alternatives that will require a USACE individual permit, the GLO will conduct a full consistency review of those projects when the USACE publishes them for public or interagency comments.

I look forward to continuing a close collaboration between our organizations. If you have any questions or concerns, please contact me at (512) 463-7497 or at [federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov).

Sincerely,



Leslie Koza  
Federal Consistency Coordinator  
Texas General Land Office

Cc: James Bove, EPA