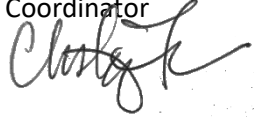




UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

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

DATE: May 6, 2022

SUBJECT: NMFS Determinations for the Lancha Sea Turtle Mitigation Plan Project  
in Texas TIG Restoration Plan and Environmental Assessment #2

Based on my review of project materials including the Biological Evaluation forms (Spring 2022), and in coordination with representatives from National Marine Fisheries Service (NMFS) Protected Resource Division (PRD) and Habitat Conservation Division (HCD) in the Southeast Regional Office, the NOAA Restoration Center (RC) made the following determinations for the Lancha Sea Turtle Mitigation Plan project:

**Endangered Species Act (ESA)**

This project no effect on species or habitats listed under the ESA under the jurisdiction of NMFS. This due to the nature (floating in a small dock and attaching to existing pilings and patrolling the gulf for illegal fishing activities) of the project. These types of activities are not expected to have any effects to protected species or habitats under NMFS' ESA jurisdiction. Any aid provided to injured sea turtles while patrolling coastal areas is covered by an existing cooperative enforcement agreement between NMFS and Texas Parks and Wildlife.

**Magnuson-Stevens Fishery Conservation and Management Act (MSA)**

This project will have a very minimal effect, if any, to essential fish habitat designated under the MSA.

**Marine Mammal Protection Act (MMPA)**

This project is not expected to affect marine mammals protected under the MMPA under NMFS' jurisdiction, thus authorizations under the MMPA are not required.