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: February 3, 2022

SUBJECT: Texas TIG Restoration Plan/Environmental Assessment #2 Project: San Antonio Bay Bird Island Restoration Project Covered by Existing NMFS ESA, EFH and MMPA Compliance

Based on my review of project materials including the Biological Evaluation form (Winter 2021) the NOAA Restoration Center (RC) determined that the San Antonio Bay Bird Island project has existing coverage from a previous review of the project during the Regionwide TIG Restoration Plan/Environmental Assessment (RP/EA) #1. This project is being funded by restoration dollars from both TIGs.

At the time of the Regionwide RP/EA this project was reviewed by representatives from NOAA's Protected Resource Division (PRD) and Habitat Conservation Division (HCD) in the Southeast Regional Office. Those reviews determined the following:

Endangered Species Act (ESA)
The San Antonio Bay bird island project was determined to include activities that may affect, but are not likely to adversely affect ESA-listed species under NMFS' jurisdiction. Informal consultation with NMFS is currently in process (SERO-2021-01987) and will be completed prior to project implementation. No additional consultation by the Texas TIG is needed.

Essential Fish Habitat (EFH)
The San Antonio Bay bird island project was determined to have minimal effects on EFH. As a result, HCD did not provide any conservation recommendations and the project does not require further EFH evaluation.

Marine Mammal Protection Act (MMPA)
The San Antonio Bay bird island project was determined to not have effects that would take marine mammals, thus MMPA authorizations are not required. Best management practices to reduce effects to bottlenose dolphins from project activities were included in the biological evaluation form and will be carried out during project implementation.

If the project is modified in a way that may not be covered by existing analyses, it will be reevaluated as appropriate.