

## Appendix A. Best Practices

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Guidance will be provided by the federal regulatory agencies to project proponents as part of the environmental compliance process. Best practices generally include design criteria, best management practices (BMPs), lessons learned, expert advice, tips from the field, and more. Trustees will use appropriate best practices to avoid or minimize impacts to natural resources, including protected and listed species and their habitats.

Federal environmental compliance includes developing a project proposal, requesting technical assistance if needed, and then entering into consultation or coordination under the relevant regulatory act (e.g., Endangered Species Act (ESA), Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), Migratory Bird Treaty Act, Marine Mammal Protection Act, Bald and Golden Eagle Protection Act, and Clean Water Act). During any consultation process, additional project-specific measures may be recommended or required as applicable to a project type in different locations (e.g., dune walkovers in Florida and Texas) due to differences in relevant conditions, such as species presence or absence or other factors.

Below is a list of best practices that the Trustees have determined could be applicable to the stated restoration approaches. The potential programmatic environmental consequences described in Chapter 6, Environmental Consequences and Compliance with Other Laws, are presented largely without factoring in best practices that could avoid or minimize the potential adverse effects at a project-specific level. Such practices can be established during project planning and implementation. An exception is the analysis of impacts to protected biological resources and their habitats. For these resources, restoration types were specifically analyzed, incorporating best practices that would typically be required by resource agencies because these projects generally would not be able to move forward through agency review without incorporation of best practices. Such best practices include, but are not limited to, steps taken through site selection, engineering and design, use of proven restoration techniques and best practices, and other conditions or activities required for project-specific regulatory compliance. Future projects tiered from this programmatic document will include the best practices below or best practices identified during project consultation, as appropriate. If changes to the best practices below are warranted for specific future projects, those changes will be analyzed in the future NRDA analysis and associated tiered Environmental Assessments (EAs) and Environmental Impact Statements (EISs) as well as other required reviews. Once best practices have been accepted, the project will be implemented using those best practices.

Points of contact:

- U.S. Fish and Wildlife Service (USFWS) Ecological Services Field Offices  
<http://www.fws.gov/ecological-services/map/index.html>
- National Marine Fisheries Service (NMFS) Southeast Region  
<http://sero.nmfs.noaa.gov/>

### 6.A

#### Best Practices

## A.1 Practices Included in Environmental Consequences Analysis in Chapter 6, Section 6.4

As in Early Restoration, the PDARP/PEIS incorporated the following practices described below in Section A.1, Practices Included in Environmental Consequences Analysis in Chapter 6, Section 6.4, in the analysis of environmental consequences in Chapter 6. This section presents best practices organized by species and also includes a section on general construction measures. Several of the best practices are described in larger documents and only the titles are included here. Appropriate websites should be checked during project planning to see if updated guidance is available. The organization by species is as follows:

- Birds
  - Bald eagle
  - Migratory birds
  - Piping plover and red knot
  - Red-cockaded woodpecker
- Mammals
  - Beach mouse
  - Manatee
  - Bottlenose dolphin
  - Other marine mammals
- Reptiles and amphibians
  - Reticulated flatwoods salamander
  - Eastern indigo snake
- Tortoises/turtles
  - Gopher tortoise
  - Sea turtles—in water
  - Sea turtles—nesting beaches
- Fish
  - Gulf sturgeon
- Plants
  - Protected plants
- Invasive species
- General construction measures

## A.1.1 Birds

### A.1.1.1 Bald Eagles

If bald eagle breeding or nesting behaviors are observed or a nest is discovered or known, have all activities avoid the nest by a minimum of 660 feet. If the nest is protected by a vegetated buffer where there is *no* line of sight to the nest, then the minimum avoidance distance is 330 feet. Maintain this avoidance distance from the onset of breeding/courtship behaviors until any eggs have hatched and eaglets have fledged (approximately 6 months).

If a similar activity (such as driving on a roadway) is closer than 660 feet to a nest, maintain a distance buffer as close to the nest as the existing tolerated activity. If a vegetated buffer is present and there is no line of sight to the nest and a similar activity is closer than 330 feet to a nest, then maintain a distance buffer as close to the nest as the existing tolerated activity.

In some instances activities conducted within 660 feet of a nest may result in disturbance, particularly for the eagles occupying the Mississippi barrier islands. If an activity appears to cause initial disturbance, stop the activity and move all individuals and equipment away until the eagles are no longer displaying disturbance behaviors. Contact the USFWS's Migratory Bird Permit Office to determine how to avoid impacts or if a permit may be needed.

### A.1.1.2 Migratory Birds

Use care to avoid birds when operating machinery or vehicles near birds.

During the project design phase, coordinate with the USFWS and the state trust resource agency to site and design projects to avoid or minimize impacts to migratory bird nesting habitats or important feeding/loafing areas.

Avoid working in migratory bird nesting habitats during breeding, nesting, and fledging (approximately mid-February through late August). If project activities must occur during this timeframe and breeding, nesting, or fledging birds are present, contact the state trust resource agency to obtain the most recent guidance to protect nesting birds or rookeries, and their recommendations will be implemented.

Conservation areas may already be marked to protect bird nesting areas. Stay out of existing marked areas.

If vegetation clearing is necessary, clear vegetation outside of migratory bird nesting season (approximately mid-February through late August) or have a qualified biologist inspect for active nests. If no active nests are found, vegetation may be removed. If active nests are found, vegetation can be removed after the nest successfully fledges.

Avoid driving over the natural organic material ("wrack") line or areas of dense seaweed, as these habitats may contain hatchlings and chicks that are difficult to see.

Install pointy, white, piling caps on exposed pilings to prevent bird roosting on piers, docks, and marinas.

#### **A.1.1.3 Piping Plover and Red Knot**

Provide all individuals working on a project with information in support of general awareness of piping plover or red knot presence and means to avoid birds and their critical or otherwise important habitats.

Avoid working in designated critical habitat when piping plover are present (approximately late July through mid-May) or important wintering sites for red knots when they are present (contact USFWS for red knot time frames and habitats) to the maximum extent practicable. If work must be conducted when individuals are present, avoid working near concentrations of individuals or post avoidance areas to minimize disturbance.

For projects that result in large-scale habitat changes, coordinate early with the USFWS to enhance or protect habitat features preferred by the species (inlet shoals, lagoons, washover fans, ephemeral pools, baysides, and mud flats). Do not remove sand from intertidal, sand, or mud flats.

Use dredged material to enhance adjacent emerged and submerged shoals and bayside habitats within and adjacent to project areas.

Minimize vegetation planting in preferred habitats and avoid removal of wrack year-around along the shoreline.

During recreational use, enforce leash or “no pet” policies in critical or important habitats.

#### **A.1.1.4 Red-Cockaded Woodpecker**

Avoid working within active red-cockaded woodpecker clusters (minimum convex polygon containing the aggregation of cavity trees used by a group of red-cockaded woodpeckers and a 200-foot wide buffer surrounding the polygon).

If avoidance is not possible or management activities in red-cockaded woodpecker suitable habitat are desired, conduct standard surveys to determine if the habitat is supporting any individuals or presence can be assumed. If red-cockaded woodpeckers are present (or assumed to be), avoid cavity trees and use mechanized equipment during the non-nesting season (approximately April 1 through July 31).

If tree removal is necessary, survey pine trees approximately 60 or more years old for active cavities within one year of the proposed removal. Extend surveys from the project site out to no less than one-half mile. Replace any cavities affected by the project via drilled cavity construction.

If impacts to suitable foraging habitat (pines approximately 30 or more years old and within one-half mile of an active cavity tree) are proposed, conduct a foraging habitat analysis. Foraging habitat may need to be replanted post-project.

Design projects within red-cockaded woodpecker suitable habitat such that prescribed fire needs are not impeded.

## A.1.2 Mammals

### A.1.2.1 Beach Mouse

Avoid using vehicles and mechanical equipment within the dune system, including primary, secondary, and tertiary dunes.

Avoid storing or staging equipment, vehicles, and project debris in a manner or location where it could be colonized by mice.

If work must occur within the dune system, have a qualified, permitted, biologist survey the project site before work commences and flag potential burrows and tracks so that they can be avoided.

Where possible replace footpaths or low-lying dune walkovers with improved walkovers that do not fragment the dune system. For dune walkover construction in Florida and Alabama, follow the Conservation Measures for Dune Walkover Construction (Beach/Dune Walkover Guidelines, the Florida Bureau of Beaches and Coastal Systems, Florida Department of Environmental Protection, Revised January 1998).

Avoid vegetation removal, including scrub vegetation. If vegetation is damaged or removed during project implementation, plant appropriate native plants in the same location to minimize erosion and provide a food source for beach mice. If forage plants are reduced or limited in the project area, supplemental beach mouse food sources may be necessary.

### A.1.2.2 Manatee

In Florida, follow the most current version of the Standard Manatee Conditions for In-water Work *and* Additional Conditions for Project In-water Activities in Manatee Habitat.

For in-water work in Alabama, Mississippi, and Texas where manatees could be present, follow conditions a, b, c, and d of the Standard Manatee Conditions for In-water Work. Report any collisions to the USFWS or state trust resource agency. Temporary signs, if necessary, can be modified from the Florida Fish and Wildlife Conservation Commission's template to reflect local conditions. In Louisiana, follow the most recent version of the Standard Conditions for In-Water Work in the Presence of Manatees.

*USFWS 2011 Standard Manatee Conditions for In-Water Work*

*USFWS 2011 Additional Conditions for Project In-water Activities in Manatee Habitat*

### A.1.2.3 Bottlenose Dolphin

Follow the most current version of the *NMFS Southeast Region Measures for Reducing Entrapment Risk to Protected Species, Revised: May 22, 2012*.

### A.1.2.4 Other Marine Mammals

Follow the most current version of the *Vessel Strike Avoidance Measures and Reporting for Mariners NOAA Fisheries Service, Southeast Region, Revised February 2008*.

### A.1.3 Reptiles and Amphibians

#### A.1.3.1 Reticulated Flatwoods Salamander

Avoid suitable habitat during all construction activities and do not permanently alter hydrology of the area. Avoid eliminating connectivity between suitable ponds.

Use silt fencing to prevent sedimentation or erosion of the project site into ponds.

If suitable habitat (including the approximately 1,500 buffer zone around breeding ponds) may be affected, perform pre-project surveys within 2 miles of known breeding sites or assume the presence of reticulated flatwoods salamanders. Schedule work during the nonbreeding season (summer) and maintain the natural contour of the ponds.

#### A.1.3.2 Eastern Indigo Snake

If suitable habitat or other evidence of Eastern indigo snake is discovered within the project area during site surveys, implement the most recent version of the *U.S. Fish and Wildlife Service's Standard Protection Measures for the Eastern Indigo Snake*.

### A.1.4 Tortoises/Turtles

#### A.1.4.1 Gopher Tortoise

If suitable habitat is present, have a qualified biologist conduct surveys to identify any gopher tortoise burrows. If burrows are within the project area and cannot be avoided through establishing a protective buffer (size determined by USFWS and the state trust resource agency), implement standard procedures to relocate the tortoise within the project site but away from the areas of construction or restoration or consider conservation banks. A Candidate Conservation Agreement with Assurances may be appropriate for project sites within the nonlisted range of the species.

#### A.1.4.2 Sea Turtles—In Water

Implement the following guidelines: *Sea Turtle and Smalltooth Sawfish Construction Conditions, Revised: March 23, 2006 and Measures for Reducing Entrapment Risk to Protected Species, Revised: May 22, 2012 and Vessel Strike Avoidance Measures and Reporting for Mariners NOAA Fisheries Service, Southeast Region, Revised February 2008*.

#### A.1.4.3 Sea Turtles—Nesting Beaches

If a sea turtle (either adult or hatchling) is observed, maintain at least 200 feet between the turtle and personnel, equipment, or machinery and notify the sea turtle monitoring program. Allow the turtle to leave the area of its own volition.

During nourishment activities, use beach quality sand that is suitable for successful sea turtle nesting and hatchling emergence. Emulate the natural shoreline slope and dune system (including configuration and shape) to the maximum extent practicable.

In Florida and Alabama, avoid the use of vehicles and heavy machinery on nesting beaches during sea turtle nesting and hatching season (approximately May through October).

If work must occur on nesting beaches during sea turtle nesting season (May through August), begin work with vehicles or machinery after 9:00 am local time to allow the sea turtle monitoring program to detect and mark new nests and assess the need to relocate sea turtle nests that could be affected by the project construction. Avoid marked nests by at least 10 feet.

If beach topography is altered, restore all areas to the natural beach profile by 8:00 pm local time each day during nesting and hatching season. Restore beach topography by raking tire ruts and filling pits or holes.

Avoid driving over the wrack line or areas of dense seaweed, as these habitats may contain sea turtle hatchlings that are difficult to see.

All observed sea turtle nests located in Texas should be excavated and the eggs relocated for incubation.

Construction in Texas should be scheduled to avoid Kemp's ridley nesting season, which extends from April 1 until October 1.

## A.1.5 Fish

### A.1.5.1 Gulf Sturgeon

Avoid work in riverine critical habitats when Gulf sturgeon are likely to be present (April to October). Do not dredge in spawning areas when Gulf sturgeon are likely to be present.

During project implementation, maintain riparian buffers of at least 100 feet around critical habitat. Install silt fencing to prevent sedimentation or erosion into streams and rivers.

Operate dredge equipment in a manner to avoid risks to Gulf sturgeon (e.g., disengage pumps when the cutter head is not in the substrate; avoid pumping water from the bottom of the water column).

Implement the [Sea Turtle and Smalltooth Construction Conditions, Revised: March 23, 2006 \(NOAA, 2006\)](#) and [Measures for Reducing Entrapment Risk to Protected Species, Revised: May 22, 2012](#) as they are protective of Gulf sturgeon as well.

### A.1.5.2 Sawfish

Implement the [Sea Turtle and Smalltooth Construction Conditions, Revised: March 23, 2006 \(NOAA, 2006\)](#) and [Measures for Reducing Entrapment Risk to Protected Species, Revised: May 22, 2012](#).

## A.1.6 Plants

### A.1.6.1 Protected Plants

Perform surveys to determine if protected plants (or suitable habitat) are on or adjacent to the project site. Have a qualified individual perform the surveys and follow suitable survey protocols. Conduct plant surveys during appropriate survey periods (usually flowering season).

Design projects to avoid known locations and associated habitat to the extent possible. Use "temporary" removal of plants and soil profile plugs (which include the A and B horizons) with the intent to replace to original location post-construction as a last resort. Consider transplanting and seed banking only after all other options are exhausted.

Enhance and protect plants on site and in adjacent habitats to the maximum extent possible.

Use only native plants for post project restoration efforts.

#### **A.1.7 Invasive Species**

Develop and implement a Hazard Analysis and Critical Control Points (HACCP) plan to prevent and control invasive species. Use (ASTM E2590–08) or other version of HACCP or other similar planning tool.

Implement an Integrated Pest Management (IPM) approach to facility design, sanitation, and maintenance to prevent and control invasive and pest species.

Inspect sites, staging, and buffer areas for common invasive species prior to the onset of work. Map any invasive species detected and note qualitative or quantitative measures regarding abundance. Implement a control plan, if necessary, to ensure these species do not increase in distribution or abundance at a site due to project implementation. Inspect sites periodically to identify and control new colonies/individuals of an invasive species not previously observed prior to construction.

Prior to bringing any equipment (including personal gear, machinery, vehicles, or vessels) to the work site, inspect each item for mud or soil, seeds, and vegetation. If present, clean the equipment, vehicles, or personal gear until they are free from mud, soil, seeds, and vegetation. Inspect the equipment, vehicles, and personal gear each time they are being prepared to go to a site or prior to transferring between sites to avoid spreading exotic, nuisance species.

Place and maintain predator-proof waste receptacles in strategic locations during project implementation to prevent an increase in predator abundance. For projects designed to enhance or increase visitor use, maintain predator-proof waste receptacles for the life of the project.

Have the appropriate state agency inspect any equipment or construction materials for invasive species prior to use.

Inspect and certify propagated or transplanted vegetation as pest and disease free prior to planting in restoration project areas.

#### **A.1.8 General Construction Measures**

##### **A.1.8.1 Guidelines**

*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat. U.S. Army Corps of Engineers/National Marine Fisheries Service August 2001.*

*Key for Construction Conditions for Docks or Other Minor Structures Constructed in or Over Johnson's Seagrass (Halophila johnsonii) National Marine Fisheries Service/U.S. Army Corps of Engineers October 2002.*

*National Artificial Reef Plan (as Amended): Guidelines for siting, construction, development, and assessment of artificial reefs, Revised February 2007.*

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Guidelines for Marine Artificial Reef Materials 1997 GSMFC Number 121.

Bubble Curtain Specifications for Pile Driving.

Assessment and Mitigation of Marine Explosives: Guidance for Protected Species in the Southeast U.S.

#### **A.1.8.2 Piling Installation**

Push pilings into soft, bottom substrate to reduce noise from installation; do not drive and hammer pilings into bottom substrate unless necessary for proper construction.

#### **A.1.8.3 Protected Species**

Provide all individuals working on a project with information in support of general awareness of and means to avoid impacts to protected species and their habitats present at the specific project site.

Survey for other at-risk or imperilled species. If found on site, contact the USFWS and state trust resource agency to determine if avoidance or minimization measures or a Candidate Conservation Agreement with Assurances may be appropriate.

#### **A.1.8.4 Site Maintenance and Conduct**

Use the nearest, existing staging, access and egress areas, travel corridors, pathways, and roadways (including those provided by the state, local governments, land managers, trustee, or private property owner, with proper permissions) and do not create new staging areas, access (except dune walkovers) or egress, or travel corridors through dune habitats.

Limit driving on the beach for construction to the minimum necessary within the designated travel corridor—established just above or just below the primary “wrack” line. Avoid driving on the upper beach whenever possible, and never drive over any dunes or beach vegetation. Check with the USFWS and state trust resource agency for additional specific beach driving recommendations in Florida and Alabama.

Minimize construction noise to the maximum extent practicable when working near protected species and their habitats.

Maintain or improve all lighting regimes. Methods include working during daylight hours only, prohibiting lighting on dune walkovers, and using wildlife-friendly lighting where lighting is necessary for human safety.

Post signs at kiosks, ramps, and piers to provide visitors with information to avoid and minimize impacts to protected species and their habitats while recreating. Develop signs in coordination with NMFS, USFWS, and the local state trust resource agency.

Supply and maintain containers for waste fishing gear to avoid fish and wildlife entanglement.

#### **A.1.8.5 Land and Vegetation Protection**

Develop and implement an erosion control plan to minimize erosion during and after construction and where possible use vegetative buffers (100 feet or greater), revegetate with native species or annual grasses, and conduct work during dry seasons.

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Develop and implement a spill prevention and response plan, including conducting daily inspections of all construction and related equipment to ensure there are no leaks of antifreeze, hydraulic fluid, or other substances and cleaning and sealing all equipment that would be used in the water to rid it of chemical residue. Develop a contract stipulation to disallow use of any leaking equipment or vehicles.

Prohibit use of hazardous materials, such as lead paint, creosote, pentachlorophenol, and other wood preservatives during construction in, over or adjacent to, sensitive sites during construction and routine maintenance.

Where landscaping is necessary or desired, use native plants from local sources. If non-native species must be used, ensure they are noninvasive and use them in container plantings.

#### **A.1.8.6 Wetland and Aquatic Resource Protection**

Complete an engineering design and post-construction inspection for projects where geomorphic elevations are restored in wetlands, marshes, and shallow water habitats to ensure the success of the restoration project. Manage elevation of fill material to ensure projected consolidation rates are accomplished and that habitat suitable for wetland and marsh vegetation is developed.

Avoid and minimize, to the maximum extent practicable, placement of dredged or fill material in wetlands and other aquatic resources.

Design construction equipment corridors to avoid and minimize impacts to wetlands and other aquatic resources to the maximum extent practicable.

To the maximum extent possible, implement the placement of sediment to minimize impacts to existing vegetation or burrowing organisms.

Place protective warning signs and buoys around at-risk habitats for infrastructure projects that could increase recreational uses in SAV or oyster areas.

Apply herbicide in accordance with the direction and guidance provided on the appropriate U.S. Environmental Protection Agency (EPA) labels and state statutes during land-based activities.

Only use suitable borrow sites (i.e., those that do not contain *Sargassum*, SAV, or oysters) as dredging sites for sediment. Obtain sediments by beneficially using dredged material from navigation channels or by accessing material from approved offshore borrow areas. Sediments must closely match the chemical and physical characteristics of sediment at the restoration site. Additionally, use target borrow areas within reasonable proximity to suitable sites for sediment placement.

When local conditions indicate the likely presence of contaminated soils and sediments, test soil samples for contaminant levels and take precautions to avoid disturbance of, or provide for proper disposal of, contaminated soils and sediments. Evaluate methods prior to dredging to reduce the potential for impacts from turbidity or tarballs.

Perform maintenance of generators, cranes, and any other stationary equipment operated within 150 feet of any natural or wetland area, as necessary, to prevent leaks and spills from entering the water.

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Designate a vehicle staging area removed from any natural surface water resource or wetland to perform fueling, maintenance, and storage of construction vehicles and equipment. Inspect vehicles and equipment daily prior to leaving the storage area to ensure that no petroleum or oil products are leaking.

Upon completion of construction activities, restore all disturbed areas as necessary to allow habitat functions to return. Create and manage public access developments to enhance recreational experience and educational awareness to minimize effects to habitat within wetland and shallow water areas and to the long-term health of related biological communities.

Incorporate containment levees for fill cells for projects using marsh creation or other barrier island restoration. Remove these containment levees after construction to allow for the restoration of natural tidal exchange.

Use silt fencing where appropriate to reduce increased turbidity and siltation in the project vicinity. This would apply to both on land and in water work.

Continue oyster and clam shell recycling programs to provide natural material for creating additional oyster reefs.

Ensure shells to be introduced for reef creation are subjected to depuration in a secure open air area for a period of not less than 6 months.

Make all efforts to reduce the peak sound level and exposure levels of fish to reduce the potential impact of sound on fish present in the project areas.

Use a vibratory hammer whenever possible to reduce peak sound pressure levels in the aquatic environment.

Use sound attenuation devices where practicable for pulse noise (impact hammers) to reduce peak sound pressure levels in the aquatic environment.

Stipulate the timing of activities to avoid impacts to spawning fish and eggs/larvae.

Use best practices to reduce turbidity, such as turbidity blankets, to reduce the potential impact of turbidity on finfish.

Screen water withdrawal pipes to minimize potential entrainment of fish from the withdrawal area. Have project proponents coordinate with NMFS to create an intake screen that would minimize potential impingement of fish.

#### **A.1.8.7 Aquaculture Facilities**

Treat effluent from aquaculture facilities to avoid dispersal of potential pathogens into receiving waters.

Make sure that all aquaculture facilities and fish raised in those facilities meet fish health standards and are screened for pathogens prior to release into receiving waters.

Implement a genetics management plan that ensures maintenance of genetic diversity of native stocks of finfish in the Gulf of Mexico.

Develop and implement a stocking management plan prior to the release of hatchery-reared finfish.

## A.2 Future Practices

The PDARP/PEIS did not incorporate the practices described in this section (Section A.2) in the analysis of environmental consequences in Chapter 6. Although these were not available at the time of analysis in the PDARP/PEIS, practices developed in the future are intended to provide essential technical assistance to avoid and minimize effects to ESA-listed species and their designated critical and Essential Fish Habitat. Incorporating this guidance into future restoration plans can lead to effective and efficient consultation under the ESA and MSFCMA. As projects in the Gulf of Mexico are implemented, additional practices may be developed. Check the websites below for the most recent guidance available.

### A.2.1 Project Design Criteria for ESA-listed species

Project Design Criteria (PDC) are being developed by NMFS<sup>1</sup> to provide technical assistance and avoid or reduce adverse impacts to ESA-listed and protected species. PDCs may be developed for the following and/or additional restoration approaches:

- Artificial reefs.
- Debris removal.
- Fishing piers.
- Living shorelines.
- Marsh restoration.
- Nonfishing piers.
- Oyster restoration.

Detailed descriptions can be found under the “Southeast Regional Office Guidance” on the following webpage: [http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/guidance\\_docs/index.html](http://sero.nmfs.noaa.gov/protected_resources/section_7/guidance_docs/index.html).

### A.2.2 Best Practices for Essential Fish Habitat Under MSFCMA

At time of publication, practices to avoid and minimize effects to Essential Fish Habitat were under development. Please check the following webpage for EFH best practices that may be developed: [http://sero.nmfs.noaa.gov/habitat\\_conservation/efh/guidance\\_docs/index.html](http://sero.nmfs.noaa.gov/habitat_conservation/efh/guidance_docs/index.html).

<sup>1</sup> NMFS Protected Resources Division Southeast Region 2015. Personal communication to Rachel Sweeney and Mike Tucker, August.

## Appendix B. Additional Actions for Consideration in Cumulative Impacts Analysis

The following tables describe additional actions or programs considered as part of the PDARP/PEIS cumulative impact analysis. The tables are organized by the category of actions being evaluated.

Table 6.B-1 presents examples of habitat conservation and protection programs in the Gulf Coast region.

**Table 6.B-1.** Example habitat conservation and protection programs in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>The National Marine Sanctuaries</b>	Two sanctuaries are located in the Gulf of Mexico: Flower Garden Banks, which includes 36,000 acres of waters offshore of Texas and Louisiana, and the 2,900 square mile area in the Florida Keys.
<b>The National Wildlife Refuge System</b>	36 National Wildlife Refuges are located within the coastal areas of the Gulf of Mexico. No new National Wildlife Refuges have been proposed in the Gulf of Mexico proposed planning area.
<b>National Estuarine Research Reserves</b>	Federal and state partnerships. Past actions have included the establishment of four estuarine research reserves in the Gulf of Mexico area from Texas to Tampa Bay. There are no known future nominated estuaries planned for the National Estuarine Research Reserves in the Gulf of Mexico.
<b>Gulf of Mexico Marine Protected Areas (MPAs) (State and Federal)</b>	There are approximately 295 MPAs located within the Gulf of Mexico region, covering nearly 40 percent of the Gulf of Mexico U.S. marine waters. MPAs by jurisdiction include 19 in Texas, 17 in Louisiana, 21 in Mississippi, 7 in Alabama, 217 in Florida, and 33 in federal waters.
<b>USDA NRCS Wetlands Reserve Program (WRP)</b>	The WRP is one of the largest private lands wetland restoration and easement programs in the United States.
<b>USDA Conservation Reserve Program (CRP)</b>	The CRP is the largest private lands buffer and conservation cover rental contract program in the United States. Annual enrolled acreage for 2013 (USDA 2013): <ul style="list-style-type: none"> <li>• Texas: 3,261,730 million acres</li> <li>• Louisiana: 313,533 acres</li> <li>• Mississippi: 779,168 acres</li> <li>• Alabama: 326,247 acres</li> <li>• Florida: 46,605 acres</li> </ul>
<b>USDA Grassland Reserve Program (GRP)</b>	The GRP is jointly administered by the Farm Service Agency and the Natural Resources Conservation Service to protect and enhance working grazing lands, grasslands, and rangelands through rental contracts and conservation easements.
<b>USDA NRCS Farm and Ranch Land Protection Program (FRPP)</b>	The FRPP provides funding to eligible states, Indian tribes, and nongovernmental organizations for purchase of conservation easements to protect agricultural use and related conservation values of eligible land by limiting nonagricultural uses of that land.
<b>USDA NRCS Environmental Quality Incentives Program (EQIP)</b>	EQIP provides financial and technical assistance to farmers and ranchers in order to improve water and air quality, conserve ground and surface water resources, reduce soil erosion and sedimentation, and improve or create wildlife habitat.

**Table 6.B-1.** Example habitat conservation and protection programs in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>USDA NRCS Wildlife Habitat Incentives Program (WHIP)</b>	WHIP provides financial and technical assistance to wildlife-minded landowners and producers who want to develop and improve wildlife habitat on agricultural land, nonindustrial private forest land, and Indian land.
<b>The National Park System</b>	National Park Service lands along the coast or in coastal areas of the Gulf of Mexico include the Everglades National Park, Big Cypress National Preserve, Dry Tortugas National Park, Padre Island National Seashore, Gulf Islands National Seashore, Palo Alto Battlefield National Historical Park, Jean Lafitte National Historic Park, New Orleans Jazz National Historical Park, and DeSoto National Memorial.
<b>NOAA Coastal and Estuarine Land Conservation Program</b>	The Coastal and Estuarine Land Conservation Program provides grants to Gulf of Mexico state agencies and local governments to acquire property or conservation easements in the coastal zone or coastal watershed.
<b>USFWS ESA Recovery/Habitat Plans</b>	As part of the recovery plans for some ESA listed species, Critical Habitat has been designated as described in Chapter 3.  USFWS Habitat Conservation programs include Endangered Species Grants, Partners for Fish and Wildlife, the Coastal Program, the National Coastal Wetlands Conservation Grant Program, North American Wetlands Conservation Grants, Fish Passage Program, and National Fish Habitat Partnerships.
<b>MSFCMA EFH Fishery Management Plans</b>	EFH has been identified and described in fishery management plans developed by the Gulf of Mexico Fishery Management Council and NMFS Highly Migratory Species Division Habitat Areas of Particular Concern (HAPCs) have been defined for some of these designations.
<b>North American Bird Conservation Initiative (NABCI) -Bird Conservation Regions (BCRs)</b>	The NABCI strategy is to foster coordination and collaboration on key issues of concern, including bird monitoring, conservation design, private lands, international collaboration, and state and federal agency support for integrated bird conservation. Five NABCI BCRs overlap the area of the northern Gulf of Mexico.
State Activities	
<b>Texas</b>	Texas Coastal Management Program, Texas Land and Water Resources Conservation and Recreation Plan, Texas Prairie Wetlands Project, Texas Wetland Conservation Plan, Texas Water Plan (Texas State Water Development Board 2012), Texas 2012 Regional Water Plans, Texas Parks and Wildlife Conservation Programs, Seagrass Conservation Plan for Texas and the Coastal Erosion Protection Planning and Response Act Program are active coastal and land protection programs.
<b>Louisiana</b>	Louisiana's 2012 Comprehensive Master Plan for a Sustainable Coast guides all coastal restoration and hurricane protection efforts (CPRA 2012).
<b>Mississippi</b>	Coastal Preserves Program works to protect sensitive coastal habitats using Tidelands Trust Funds to acquire coastal areas. The Mississippi Coastal Improvement Program provides resources to address storm damage, saltwater intrusion, erosion, fish and wildlife, and other purposes. Other efforts include Mississippi Comprehensive Resource Management Plan and Mississippi's Vision for Gulf Coast Recovery, Restoration, and Protection.

**Table 6.B-1.** Example habitat conservation and protection programs in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>Alabama</b>	Through the Forever Wild Program, and other programs, Alabama has invested in land protection around the Mobile-Tensaw River delta. Other projects that are likely to be implemented are identified in the Coastal Recovery Commission of Alabama's Roadmap to Resilience.
<b>Florida</b>	Florida Forever program has protected 305,990 acres of functional wetlands as part of its 10 million acres of conservation lands protected (FDEP 2015).
Private and Nongovernmental Conservation Easements—Past to 2010 (Conservation Registry 2012)	
<b>Texas</b>	Total of 282,060 acres.
<b>Louisiana</b>	Total of 363,000 acres including holdings of The Nature Conservancy, which is one of the largest landowners.
<b>Mississippi</b>	Total of 294,000 acres including Ducks Unlimited holdings of 289,000 acres.
<b>Alabama</b>	Total of 71,000 acres including Alabama Land Trust holdings of 23,000 acres.
<b>Florida</b>	Total of 483,000 acres including Southwest Florida Water Management District holdings of 53,187 acres.

Table 6.B-2 below describes many of the federal, state, and local projects and programs related to habitat restoration that have occurred in the past and present and are expected to continue into the future. Because of the number of individual restoration projects that are implemented through these programs, major agency or nongovernmental programs have been described generically. These many and various types of restoration programs and the thousands of projects they comprise are implemented at many different scales and in accordance with the various programs, authorities, and bodies that enable restoration activities.

**Table 6.B-2.** Example restoration programs in the Gulf Coast region.

Federal Activities	
<b>Coastal Impact Assistance Program (CIAP) and Gulf of Mexico Energy Security Act (GOMESA)</b>	<p>The CIAP provides funding to the six OCS oil- and gas-producing states—Alabama, Alaska, California, Louisiana, Mississippi, and Texas—for the conservation, protection and preservation of coastal areas, including wetlands. Each state has an approved plan for implementing appropriations. All surplus funds are currently projected to be expended by fiscal year 2017 (CPRA 2015).</p> <p>The Gulf of Mexico Energy Security Act (GOMESA) covers OCS oil and gas leasing activities and revenue sharing in the Gulf of Mexico. GOMESA funds are to be used for coastal conservation, restoration, and hurricane protection. A total of 8.3 million acres are offered for oil and gas leases and include approximately 2 million acres in the central Gulf, approximately 0.5 million acres in the eastern Gulf, and approximately 5.8 million acres in the central Gulf (BOEM 2015).</p>
<b>EPA's Estuary Program</b>	The National Estuary Program provides focused management to benefit habitats, water quality, and other desired resource management objectives for Coastal Bend Bays and Estuaries, Corpus Christi Bay, Galveston Bay, Barataria-Terrebonne Estuarine Complex, Mobile Bay, Tampa Bay, Sarasota Bay, and Charlotte Harbor.
<b>USDA NRCS Gulf of</b>	NRCS delivers voluntary financial and easement assistance through existing



**Table 6.B-2. Example restoration programs in the Gulf Coast region.**

Federal Activities	
<b>Mexico Initiative (GOMI)</b>	conservation programs in 16 priority watersheds in the Gulf of Mexico watershed. GOMI objectives are to improve water quality, increase water conservation, and enhance wildlife habitat within watersheds draining into the Gulf of Mexico through long-term contracts with private landowners, which would result in implementation of a wide range of conservation practices and land protection easements.
<b>USDA NRCS Migratory Bird Habitat Initiative</b>	The Migratory Bird Habitat Initiative was established in response to the <i>Deepwater Horizon</i> disaster to provide immediate food and critical habitat for bird populations potentially affected by the spill.
<b>USDA Farm Bill Conservation Programs (non-easement)</b>	A number of USDA programs and projects have been implemented in the Gulf of Mexico region to address resource concerns, including wildlife habitat, water quality and quantity, soil quality, and other resource concerns.
<b>USFWS State Wildlife Grants</b>	USFWS administers several grant programs to support wildlife restoration benefiting Gulf of Mexico ecosystems. USFWS has provided funding to all Gulf states.
<b>Gulf of Mexico Community-Based Restoration Program</b>	The Gulf of Mexico Community-Based Restoration Program is a multi-year, regional partnership between the Gulf of Mexico Foundation, the NOAA CRP, the EPA Gulf of Mexico Program, and the Gulf states and Caribbean Territories. The purpose of this partnership is to strengthen the conservation efforts of the NOAA CRP and EPA Gulf of Mexico Program by supporting on-the-ground restoration activities and fostering local stewardship of ecologically significant areas.
<b>USACE Programs</b>	The Water Resource Development Act authorizes USACE to plan and establish wetland areas as part of an authorized water resources development project. The Mississippi Coastal Improvement Program was established by USACE after Hurricane Katrina. The program is comprehensive, consisting of structural, nonstructural, and environmental improvement projects for coastal Mississippi. The Northern Gulf of Mexico Regional Sediment Management Plan and Projects addresses restoration and sediment management at a regional scale.
State And Regional Activities	
<b>State and Regional Invasive Species Management Activities</b>	Invasive species have been the focus of a number of efforts, including Southeast Aquatic Resource Partnership, Gulf and South Atlantic Regional Panel on Aquatic Invasive Species, Aquatic Nuisance Species Task Force, and National Invasive Species Council.
<b>Texas</b>	Oyster restoration efforts in Galveston Bay are underway to address siltation and destruction of oyster beds due to hurricane impacts. Seagrass Conservation Plan for Texas and the Coastal Erosion Protection Planning and Response Act Program are also active coastal restoration/conservation programs. Other restoration priorities and projects being implemented in Texas include protection and restoration of Chenier Plain wetlands, ICWW shoreline habitat protection and restoration, freshwater inflow and saltwater intrusion initiatives, water quality initiatives in priority watersheds associated with bay ecosystems (e.g., Galveston, San Antonio, Nueces, Laguna Madre, and Aransas Bays rookery island protection and restoration efforts).
<b>Louisiana</b>	Louisiana’s 2012 Comprehensive Master Plan for a Sustainable Coast (“Master Plan”) represents fundamental state policy with regards to coastal planning and restoration. It was drafted following extensive technical and public input and consultation and includes a suite of restoration and protection measures designed to achieve a sustainable and resilient coastal landscape and to protect Louisiana’s coastal



**Table 6.B-2. Example restoration programs in the Gulf Coast region.**

Federal Activities	
	<p>resources from inundation (CPRA 2012).</p> <p>The Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) and the Louisiana Coastal Wetlands Conservation and Restoration Task Force—a state and federal partnership—has authorized over 185 projects since its inception, representing over 133,000 acres of coastal wetland restoration. A total of 93 projects have been completed, representing 80,000 acres. CWPPRA will implement 91 projects, representing 53,000 acres in the foreseeable future.</p> <p>Louisiana Department of Wildlife and Fisheries (LDWF) cultch planting has been ongoing since 1917. Since the initiation of the program, LDWF has placed over 1.5 million cubic yards of cultch material on nearly 30,000 acres.</p> <p>Other federal statewide efforts include the Louisiana Coastal Area Near-Term Plan and CPRA’s Annual Plans. CPRA’s Mississippi River Hydrodynamic and Delta Management Studies authorized through USACE Water Resources Development will address water and sediment management on the Mississippi River. Other restoration actions may be funded through CIAP and/or state surplus dollars.</p>
<b>Mississippi</b>	<p>Mississippi Coastal Improvement Program provides resources to address storm damage, saltwater intrusion, erosion, fish and wildlife, and other purposes. Fifteen “interim” projects were funded following Hurricane Katrina. Mississippi Coastal Improvement Program has developed a comprehensive program for coastal restoration and protection, especially focused on barrier islands.</p> <p>In 2009, USACE funded barrier island and other restoration activities. A regional Sediment Management Master Plan is in development to address Gulf barrier island restoration.</p>
<b>Alabama</b>	<p>The state of Alabama is focused on barrier island restoration. Restore Coastal Alabama Project will restore 100 miles of oyster reefs and over 1,000 acres of coastal marsh and seagrass beds. Community-based oyster and marsh restoration projects with nongovernmental organizations are also underway. Future efforts include the implementation of an Alabama Coastal Resiliency Plan.</p>
<b>Florida</b>	<p>Florida’s Comprehensive Everglades Restoration Plan contributes to Gulf of Mexico restoration efforts. Other programs include Coastal Wildlife Conservation Initiative to address native wildlife and coastal ecosystems and the Statewide Beaches Habitat Conservation Plan led by the Florida Department of Environmental Protection.</p>
Example Regional Restoration Planning Efforts	
<b>Gulf of Mexico Foundation: Community Based Restoration Partnership</b>	<p>Gulf of Mexico Foundation has administered the program, managing over 75 restoration projects throughout the Gulf and Caribbean. Example projects include:</p> <p><u>2012 Community Based Restoration Partnership Projects</u></p> <p>Bon Secour Shoreline and Habitat Restoration</p> <p>Galt Preserve Restoration</p> <p>Restoring Coral Reefs with in-situ Nursery Techniques</p> <p><u>2011 Community Based Restoration Partnership Projects</u></p>

**Table 6.B-2.** Example restoration programs in the Gulf Coast region.

Federal Activities	
	<p>Oyster Reef Restoration in the Texas Coastal Bend</p> <p>Elmer's Island Community-led Restoration</p> <p>Habitat Restoration in Mobile Bay</p> <p>Enhancement of mangrove shorelines in Clam Bayou</p> <p>Newman Branch Creek Phase II Restoration</p>
<b>NFWF</b>	<p>NFWF has supported over 450 projects in the Gulf of Mexico with a total value of more than \$128 million. After the DWH oil spill, NFWF supported more than 75 projects and administered \$22.9 million under the Recovered Oil Fund for Wildlife and other funding sources (NFWF 2013).</p>
<b>The Gulf Coast Joint Venture</b>	<p>The Gulf Coast Joint Venture is a partnership among federal and state agencies, nonprofit organizations, and private landowners dedicated to the conservation of priority bird habitat along the U.S. Gulf of Mexico coast. Habitat projects are developed and implemented by five regional Initiative Teams of biologists and managers of public and private lands. The Gulf Coast Joint Venture partners include numerous other organizations and hundreds of individuals that are involved in specific collaborative habitat, planning, or evaluation projects.</p>

## B.1 Water Quality Improvement Programs

Table 6.B-3 describes many of the federal, state, and local projects and programs that protect and restore Gulf of Mexico water quality. The programs listed are only representative of efforts being undertaken throughout the Mississippi River and other tributaries to the Gulf of Mexico. In particular, the states outside of the study area but contributing to these waters are implementing programs similar in scope and magnitude to those described below.

**Table 6.B-3.** Example regulatory and voluntary programs to improve water quality in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>EPA</b>	<p>Under the Clean Water Act, EPA works with states, tribes and communities to help prevent and control pollutants in our nation's waters via funding assistance (e.g., State Revolving Loan Fund capitalization grants, grants to states for administering water pollution control programs and controlling nonpoint sources of pollution) and overseeing or directly administering regulatory (e.g., NPDES discharge permits) and nonregulatory programs.</p> <p>Vessel emission control in the Gulf of Mexico—emission standards to reduce the environmental impact from marine spark-ignition engines and vessels by requiring manufacturers to control exhaust emissions from fuel tanks and fuel lines.</p> <p>Mercury Reduction to Gulf of Mexico—Mercury and Air Toxics Standards for power plants to limit mercury, acid gas, and other pollution from power plants.</p> <p>Proposed targeted reductions of atmospheric deposition for mercury, sulfur, nitrogen, and other pollutants to U.S. waters, including the Gulf of Mexico.</p>
<b>Hypoxia Task Force Action Plan</b>	Implementation of comprehensive nutrient and phosphorus reduction strategies for states in the Mississippi and Atchafalaya River Basin.
<b>National Ocean Policy Implementation Plan</b>	<p>National Ocean Council with NOAA, USDA, USGS, and Hypoxia Task Force members identified collaborative measures with regional partnerships to improve water quality in the Gulf of Mexico. The National Ocean Policy Implementation Plan was finalized in 2013 (NOC 2013).</p> <p>Mississippi River interagency monitoring, modeling, and assessment partnership established in 2013.</p> <p>With interested states, MSR collaborated on the development and implementation of state-wide nitrogen and phosphorus reduction strategies in the MSR and Gulf region in 2014.</p>

**Table 6.B-3.** Example regulatory and voluntary programs to improve water quality in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>USDA NRCS</b>	<p>The Migratory Bird Habitat Initiative was established in response to the <i>Deepwater Horizon</i> disaster to provide immediate food and critical habitat for bird populations potentially affected by the spill.</p> <p>Nutrient Management Implementation—28 million acres of land have come under nutrient management systems within the MSR since 2000, including 4 million acres added in fiscal year 2009 and 2010.</p> <p>Soil Erosion Control—Conservation practices were applied to 34 million acres of land for erosion control from fiscal 2005 to fiscal 2010, including 10 million acres in Fiscal 2009 and 2010.</p>
<b>USACE</b>	Steele Bayou Project-Mississippi—flood control/sediment reduction project in the MSR watershed in which sediment control and water management practices were installed, including eight low-head weirs to maintain minimum water depths in the channels and 67 sediment control structures to prevent sediment from filling the channels.
<b>Louisiana-Nutrient Discharge Reductions</b>	Louisiana Department of Environmental Quality works with industries and municipalities along the Mississippi River to reduce nutrient discharges.
<b>Mississippi State Nutrient Reduction Strategy and Delta Farmers</b>	<p>The Mississippi Department of Environmental Quality participates with the state Nutrient Reduction Strategy Work Group to develop a consistent approach among MSR states to reduce nutrient loadings to the Gulf. The Mississippi Department of Environmental Quality is co-leading an effort with Delta Farmers Advocating Resource Management to develop a nutrient reduction strategy for the Delta region of Mississippi.</p> <p>Mississippi/Gulf of Mexico Watershed Nutrient Task Force is working to address statewide nutrient reduction and upper-basin information and technology exchange.</p>
<b>Florida Numerical Nutrient Limits</b>	Authorized by the Watershed Restoration Act 1999, Florida is implementing nutrient reduction strategies through its total maximum daily load program and setting numerical nutrient limits on the amount of allowable nutrients that can be discharged into state waters.
<b>Gulf of Mexico Alliance (GOMA), Alabama, Florida, Louisiana, Mississippi, and Texas Nutrient Reduction Strategies</b>	States and the GOMA are working to develop and implement state nutrient reduction frameworks to restore local water quality conditions.

**Table 6.B-3.** Example regulatory and voluntary programs to improve water quality in the Gulf Coast region.

Federal or Federal/State/Local Partnership Activities	
<b>Non-Governmental Organizations</b>	<p>Mississippi River Water Quality Collaborative sponsored by the McKnight Foundation brings together representatives from more than 20 nongovernmental organizations from states along the Mississippi River corridor to explore strategies for comprehensive, riverwide water quality improvements.</p> <p>Lower Mississippi River Conservation Committee, Lower Mississippi River Aquatic Resource Management Plan, a 10-year operational plan to address the primary factors adversely affecting aquatic resources in the river’s active floodplain and backwater areas:</p> <ul style="list-style-type: none"> <li>• Ducks Unlimited.</li> <li>• The Conservation Fund.</li> <li>• The Nature Conservancy.</li> <li>• Louisiana Environmental Action Network.</li> <li>• Tennessee Clean Water Network.</li> <li>• Iowa Environmental Council.</li> <li>• Minnesota Center for Environmental Advocacy.</li> <li>• Mississippi River Basin Alliance.</li> </ul>
<b>International Water Quality Projects</b>	North American Emissions Control Area–2010 to control marine vessel pollution in international waters.

## B.2 Other Cumulative Actions

This section presents Table 6.B-4, which provides examples of military activities and projects, Table 6.B-5, which provides examples of shipping and maritime port projects, Table 6.B-6, which provides examples of tourism and recreation programs, Table 6.B-7, which provides examples of dredged material disposal projects, and Table 6.B-8, which provides examples of outer continental shelf projects.

**Table 6.B-4. Example military activities and projects in the Gulf Coast region.**

Installation	Activity
<b>Eglin Air Force Base, Pensacola, Florida</b>	<p>Installation of a fiber optic cable between Eglin and Santa Rosa Island.</p> <p>Three new missions resulting from BRAC 2005 realignment; 59 F-35 Primary Assigned Aircraft and associated cantonment construction and limited flight training operations added under the Record of Decision in 2008 (USAF 2009).</p> <p>More than 50 planned Military Construction projects beyond FY 2010 with approximately 2 million square feet (Eglin Air Force Base 2009).</p>
<b>Hurlburt Field, Eglin Complex, Florida</b>	<p>Selected as preferred location for future receipt of a 140-person Air Force Reserve MQ-1 Predator squadron that would provide intelligence, surveillance, reconnaissance, and precision-strike capability for joint force commanders.</p> <p>More than 50 transportation and capital improvement projects at Hurlburt Field over 2011 to 2016; \$24 million in construction and maintenance projects in fiscal year 2012 (Hurlburt Field 2012).</p>
<b>Naval Air Station Pensacola, Florida</b>	<p>Potential decrease in Pensacola area jobs of about 3,784 through BRAC 2005 recommendations that realign and consolidate commands.</p> <p>New training aircraft arrivals through 2020 may require operational and facility changes, including longer runways, new overlays, taxiways, parking aprons, and updated operational training space.</p> <p>Addition of fleet aircraft and missions would intensify the number of flight operations (Escambia County 2003).</p>
<b>BRAC 2005 Recommendations Naval Air Station Corpus Christi, Texas</b>	<p>Reduction of jobs through realignment and consolidation of commands; general and supporting new construction and facility upgrades required (Defense Base Closure and Realignment Commission 2005).</p>
<b>Naval Air Station Ingleside, Texas</b>	<p>Base closure under BRAC 2005; main property will revert to Port of Corpus Christi Authority.</p> <p>Electromagnetic Reduction Facility preferred re-use was for construction of a marine business park and marina. However, the property is currently in negotiations with Canyon Supply and Logistics to create an offshore oil service complex (DOD 2015).</p>

**Table 6.B-4.** Example military activities and projects in the Gulf Coast region.

Installation	Activity
<b>Naval Support Area, Panama City, Florida</b>	The Naval Support Area is expected to continue to expand in the future as the number of classes and students increases with increasing modernization of naval forces and advances in technology and as modern warfare increases research, design, testing and evaluation activities projects. Naval Support Area Panama City uses nine federally designated U.S. Navy Restricted Areas in St. Andrew Bay for near-shore, open water operations along with additional training areas in the Gulf of Mexico. (Bay County 2009).
<b>Operating Training Area</b>	Military activities that occur within the Gulf of Mexico waters can result in impacts to marine mammals, sea turtles, and other marine fauna although the areas restricted to military use may also function as MPAs when not in use. The U.S. Navy has developed range-complex monitoring plans to provide marine mammal and sea turtle monitoring in compliance with the MMPA and the EPA.

**Table 6.B-5.** Example shipping and maritime port projects the Gulf Coast region.

Texas	
<b>Brownsville</b>	Lease negotiations with a company based in China to develop a 35-acre site (Port of Brownsville 2012).  Feasibility study on widening and deepening ship channel (USACE 2012).
<b>Galveston</b>	Cruise ship terminal improvements; proposed lease for 185-acre rail access and bulk cargo terminal on Pelican Island (Seaport Press Review 2012).  Major capital improvements to existing cruise ship facilities were completed in 2011. In 2014, the Port of Galveston proposed \$10 million towards expansion of an additional cruise terminal to be completed in 2015 (Port of Galveston 2013).
<b>Houston</b>	Bayport Container and Cruise Terminal full build out expected in 2030 (Port of Houston Authority 2012).  The Port Authority has proposed to commit \$275 million for various capital improvement projects in 2015 (Port of Houston Authority 2015).  Beneficial Uses Group Project over 50 years would create 4,250 acres of intertidal salt marsh in Galveston Bay; create Evia Island for bird nesting habitat and restore Redfish and Goat Islands (FWS 2015).
<b>Port Arthur, Beaumont</b>	Rail yard rehabilitation and construction of a rail spur for intermodal connections (SETRPC 2010).
<b>Port Lavaca-Point Comfort</b>	Expansion of the turning basin, development of a dry bulk unloading dock and the Calhoun Terminal for liquefied natural gas (LNG) (World Port Source 2015).
<b>Freeport</b>	\$30 billion capital investment plan including phased build out of Velasco Terminal and a future multimodal facility (Port Freeport 2014).
<b>Texas City</b>	Phased development of an international terminal on 1,000 acres to include six berths and 400 acres of container yard (Texas City 2009).
<b>Corpus Christi</b>	The Corpus Christi channel improvement project would create nearly 200 acres of shallow-water habitat using dredged material (Port Corpus Christi 2012).

**Table 6.B-5. Example shipping and maritime port projects the Gulf Coast region.**

<b>Maintenance dredging</b>	Corpus Christi Ship Channel, Freeport Harbor, Houston Ship Channel, Galveston and the Gulf Intracoastal Waterway (USACE 2012).
<b>Louisiana</b>	
<b>New Orleans</b>	Expansion and improvements to cruise ship facilities; proposed mixed use redevelopment including maritime and commercial uses; phased expansion of terminal (Port of New Orleans 2007, 2011, 2012a, 2012b).  Relocation of the France Road and Jourdan Road terminals (Port of New Orleans 2012a).
<b>Plaquemines</b>	Dredged material project to build six bird islands of marsh, shrub/scrub, bare land, and beach habitats that form a chain about 2.5 miles long parallel to the seaward end of the Baptiste Collette Bayou channel. Unconfined dredged material was placed at subtidal elevations and was used for restoration of subsided and eroded intertidal marsh on the western side of Southwest Pass (Gagliano et al. 2008).  Maintenance dredging Mississippi River outlets at Baptiste Collette Bar.  West Pointe a la Hache wetlands project will recreate marsh habitat by harvesting sediment from the Mississippi River (Louisiana CWCRTF 2009).
<b>Baton Rouge</b>	Annual harbor dredging at Mississippi River (USACE 2012).
<b>Lake Charles</b>	Biennial maintenance dredging of ship channel (USACE 2012).
<b>Port of South Louisiana</b>	Globalplex Intermodal Terminal redevelopment including 150 acres for expansion (Port of South Louisiana 2015)).
<b>Gulf Intracoastal Waterway, Louisiana</b>	Maintenance dredging (USACE 2012).
<b>Mississippi</b>	
<b>Pascagoula</b>	New \$1.1 billion terminal opened in October 2011. The Pascagoula Bar Channel was widened in 2014; the Pascagoula River Harbor completed its dredged material disposal projects in 2014. Bayou Casotte Channel widening feasibility study is underway and the project is expected to begin in late 2015.s (Port of Pascagoula 2015).
<b>Biloxi Harbor</b>	Dredged material from maintenance of Biloxi Harbor was used to create approximately 30 acres of tidal marsh on the north shore of the east end of the Deer Island (Great Lakes Commission 2010).
<b>Alabama</b>	
<b>Perdido Pass</b>	Maintenance dredging (USACE 2012).
<b>Florida</b>	
<b>Port Manatee</b>	Incentives for development of 5,000 acres adjacent to the port; planning for intermodal container yard development (Florida Ports Council 2015). Dredging and extension of Berth 12 and extension by 584 feet (USACE 2012).
<b>Port Everglades</b>	New cruise terminal constructed. Renovation of four other cruise terminals part of a 15-year agreement with Carnival Cruise lines; new 41-acre container terminal; 30-year lease and operating agreement to develop an intermodal container transfer facility (Florida Ports Council 2015).



**Table 6.B-5.** Example shipping and maritime port projects the Gulf Coast region.

<b>Port of Pensacola</b>	Land available for permanent dredged materials disposal (9 acres) and for future development (8.5 acres).
<b>Port of Tampa</b>	\$100 million improvements including phased expansion of container facilities (two new terminals, expansion of container yard); plans for new product distribution center capacity; upgrading and expanding bulk cargo facilities; expanded cruise service (Florida Ports Council 2015).
<b>Port of Panama City</b>	Bulkhead maintenance and rehabilitation; general and bulk cargo area expansions; intermodal distribution center (Panama City Port Authority 2015).  Deepening of channel and berthing areas (Panama City Port Authority 2015).
<b>Port of Freeport</b>	Deepening and widening (USACE 2012).
<b>Maintenance dredging</b>	Pensacola Harbor Entrance Channel, Port Everglades and Tampa harbors (USACE 2012).
<b>Tampa Bay</b>	Beneficial use placement in the planning stages for USACE projects, including the creation of wetlands and additional bird nesting habitat just south of Bird Island.

**Table 6.B-6.** Example tourism and recreation programs and initiatives within the Gulf Coast region.

<b>Incentive Programs</b>	
<b>Texas</b>	
<b>Texas Nature Tourism Council</b>	A council of the Texas Travel Industry Association whose mission is to promote the value of nature tourism in Texas and to educate Texans and visitors about the state's nature tourism resources. The Council also assists and educates businesses, individuals, and other entities that provide nature-based tourism services and facilities to the public (Texas Tourism Council 2012).
<b>The Nature Tourism Program of Texas A&amp;M Agrilife Extension</b>	Provides educational and training programs, materials, and consultations to professionals, landowners, and the general public to assist people who are interested in nature tourism as a business enterprise, conservation, or community development program (TAMU 2015).
<b>Texas Heritage Trail</b>	The Texas Heritage Trail Program is an award-winning heritage tourism initiative that encourages communities, heritage regions, and the state to partner and promote historic and cultural resources. Local preservation efforts, combined with statewide marketing of heritage regions as tourism destinations, increase visitation to cultural and historic sites and is based on 10 scenic driving trails including the Gulf Coast Byway, a portion of the Texas Tropical Trail (THC 2012).
<b>Houston Wilderness</b>	Houston Wilderness is a broad-based alliance of business, environmental, and government interests that acts in concert to protect, preserve, and promote the unique biodiversity of the region's remaining ecological capital from bottomland hardwoods and prairie grasslands to pine forests and wetlands. These eco-region landscapes decrease repetitive flooding; improve water quality; and boost outdoor recreation, ecotourism, and economic growth (Houston Wilderness 2014).

**Table 6.B-6.** Example tourism and recreation programs and initiatives within the Gulf Coast region.

Incentive Programs	
<b>Texas Tourism</b>	The Office of the Governor, Economic Development and Tourism (Texas Tourism) is responsible for promoting Texas as a premier travel destination. The office works in concert with its partners (convention and visitors bureaus, local chambers of commerce, private travel-related organizations, and associations) to promote travel to Texas in both the domestic and international tourism marketing arenas (Texas Office of the Governor 2015).
<b>Louisiana</b>	
<b>Louisiana Office of Tourism</b>	Louisiana provides grants and opportunities for partnering for tourism promotion within Louisiana to strengthen marketing opportunities (Louisiana Office of Tourism 2012).
<b>Mississippi</b>	
<b>Mississippi Tourism Rebate Program</b>	Program for qualifying new tourism projects that allows a portion of the sales tax paid by visitors to the eligible tourism-oriented enterprise project to reimburse eligible costs incurred during the construction of the project. Qualifying projects include tourism attractions, hotels, public golf courses and marinas, and resort developments (Mississippi Development Authority 2013).
<b>Mississippi-Alabama</b>	
<b>Nature Tourism Initiative</b>	Tourism initiative for coastal Alabama and Mississippi to evaluate nature-oriented businesses and to provide resources to meet their needs to in order to provide a “quality nature experience for the guests while also encouraging good stewardship and sustainability of the area’s natural resources.” The Mississippi-Alabama Sea Grant Consortium has developed goals and objects for sustainable development including a goal for developing “healthy coastal economies that include working waterfronts, an abundance of recreation and tourism opportunities, and coastal access for all citizens” (Mississippi-Alabama Sea Grant Consortium 2010).
<b>Florida</b>	
<b>Partnership for Florida’s Tourism</b>	A grassroots coalition designed to raise awareness of the importance of tourism and to increase public funding of tourism marketing. The Partnership comprises the Florida Restaurant and Lodging Association, Florida Attractions Association, Florida Association of RV Parks and Campgrounds, Florida Association of Destination Marketing Organizations, and VISIT FLORIDA (Partnership for Florida's Tourism 2012).

**Table 6.B-7. Example dredged material disposal projects in the Gulf region.**

Texas	
<b>USACE Galveston District</b>	The Galveston District has averaged about 6 million cubic yards of material dredged per year and the New Orleans District has averaged about 22 million cubic yards of material dredged per year disposed at ODMDs over the last 10 years. Quantities may decrease slightly as more beneficial uses of dredged material onshore are identified.
Louisiana	
<b>USACE New Orleans District</b>	Current figures vary for how much of the average annual 70 million cubic yards (53,518,840 cubic meters) that is dredged by the New Orleans District is available for the beneficial use of dredge materials program; from 15 million cubic yards (11,468,320 cubic meters) (USACE 2015)) to 30 million cubic yards (22,936,650 cubic meters) ), or between 21 and 43 percent of the total. The remaining 79 to 57 percent of the total material dredged yearly by USACE New Orleans District is disposed of in ODMDs or is stored in temporary staging areas located inland (e.g., the Pass a Loutre Hopper Dredge Disposal Site at the head of the Mississippi River’s main “birdfoot” distributary channel system).

**Table 6.B-8. Example Outer Continental Shelf projects in the Gulf region.**

Texas	
<b>General Lands Office</b>	The General Lands Office in Texas is collecting new geologic and geophysical data to describe potential resources in buried Pleistocene Sabine and Colorado River paleochannels, located offshore Jefferson and Brazoria Counties.
Louisiana	
<b>Louisiana Office of Coastal Protection and Restoration</b>	<p>The Louisiana Office of Coastal Protection and Restoration and Louisiana State University have undertaken joint efforts, funded in part through BOEM, to identify potential sand resources in the Trinity and Tiger Shoal complex, located in the Vermilion and South Marsh Island leasing areas, and to examine the long-term effects of dredging sand on Ship Shoal, a large potential borrow area about 15 miles (24 kilometers) offshore Isle Dernieres, south-central Louisiana.</p> <p>The following five leases for OCS sand have been issued in the CPA: 1) Holly Beach, Cameron Parish, Louisiana; 2) the South Pelto test area, Terrebonne Parish, Louisiana; 3) Pelican Island shoreline restoration, Plaquemines Parish, Louisiana; 4) Raccoon Island marsh creation, Terrebonne Parish, Louisiana; and 5) St. Bernard Shoals, St. Bernard and Plaquemines Parishes, Louisiana. Two leases were issued in 2012 for Cameron Parish shoreline restoration in Cameron Parish, Louisiana, and for Caminada Headland shoreline restoration in Lafourche and Jefferson Parishes, Louisiana.</p>

## B.3 References

- Bay County (2009). *Bay County Joint Land Use Study*. Bay County, FL Retrieved from <http://www.pcgov.org/DocumentCenter/Home/View/116>.
- BOEM (Bureau of Ocean Energy Management). (2015). Gulf of Mexico Energy Security Act (GOMESA). (September 7). Retrieved from <http://www.boem.gov/Revenue-Sharing/>
- CPRA (Coastal Protection and Restoration Authority). (2012). *Louisiana's Comprehensive Master Plan for a Sustainable Coast*. Coastal Protection and Restoration Authority. Retrieved from <http://coastal.la.gov/a-common-vision/2012-coastal-master-plan/>.
- CPRA (Coastal Protection and Restoration Authority). (2015). *Fiscal Year 2016 Annual Plan: Integrated Ecosystem Restoration and Hurricane Protection in Coastal Louisiana*. Baton Rouge, LA: Coastal Protection and Restoration Authority of Louisiana.
- Defense Base Closure and Realignment Commission (<http://www.brac.gov/finalreport.html>). (2005). *2005 Defense Base Closure and Realignment Commission Report*.
- DOD (U.S. Department of Defense). (2015). Naval Station Ingleside Electromagnetic Reduction Facility, Texas. (September 7). Retrieved from <http://www.oea.gov/project-highlights/brac/naval-station-ingleside-electromagnetic-reduction-facility,-texas>
- Eglin Air Force Base (2009). *Eglin Air Force Base General Plan*. Retrieved from [http://adminpress.jllpress.com/Continental\\_Group/documents/EglinAFBGeneralPlan.pdf](http://adminpress.jllpress.com/Continental_Group/documents/EglinAFBGeneralPlan.pdf).
- Escambia County (2003). *Escambia County Joint Land Use Study*. Escambia County, Florida, Growth Management Department, United States Navy, United States Department of Defense. Retrieved from <http://www.oea.osd.mil/library/directory/assistance/jlus/jlus-projects/pensacola-nas/escambia-county-jlus-executive-summary-september-2003/view>.
- FDEP (Florida Department of Environmental Protection). (2015). Florida Forever. (September 7). Retrieved from [http://www.dep.state.fl.us/lands/fl\\_forever.htm](http://www.dep.state.fl.us/lands/fl_forever.htm)
- Florida Ports Council (2015). Port Manatee. (September 7). Retrieved from <http://flaports.org/ports/port-manatee/>
- FWS (U.S. Fish and Wildlife Service). (2015). BUG Project. (September 30, 2014) (September 7). Retrieved from <http://www.fws.gov/southwest/es/TexasCoastal/NestIslandCreation.html>
- Gagliano, S.M., Guempel, B.R., Kappel, W.K., Wicker, K.M., Coastal Environments, I., & Suhayda, J.N. (2008). *Plaquemines Parish Strategic Implementation Deepwater Horizon Oil Spill Restoration Programmatic Environmental Impact Statement June 14, 2012 Trustee Council Review Draft Attorney-Client Privilege, Draft Deliberative and Pre-Decisional Plan. Prepared for Parish President and Parish Council, Plaquemines Parish*. Retrieved from <http://www.coastalenv.com/Plaquemines%20Parish%20Strategic%20Implementation%20Plan-BK-8-12-08-LC-KW%20-BK-GOOD.pdf>.
- Great Lakes Commission (2010). *Beneficially Using Dredged Materials to Create/Restore Habitat and Restore Brownfields, and Team Collaborative Efforts That Have Achieved Success Examples/Case*

*Studies*. Retrieved from <http://greatlakesdredging.net/files/pdf/Final-report-Beneficial-use-of-dredged-material-and-collaboration.pdf>.

Houston Wilderness. (2014). Houston Wilderness Presentation for Environmental Grantmakers.

Hurlburt Field (2012). Commando Construction: Hurlburt Field Projects in 2012. Retrieved from <http://www.hurlburt.af.mil/News/ArticleDisplay/tabid/136/Article/204938/commando-construction-hurlburt-field-projects-in-2012.aspx>

Louisiana CWCRTF (Louisiana Coastal Wetlands Conservation and Restoration Task Force). (2009). *Fact sheet: West Pointe a la Hache marsh creation*.

Louisiana Office of Tourism (2012). Louisiana Tourism Industry Partners. (September 7). Retrieved from <http://www.crt.state.la.us/tourism/industry-partners/index>

Mississippi-Alabama Sea Grant Consortium (2010). *Strategic Plan. Sustainable Coastal Development*.

Mississippi Development Authority (2013). Tourism Rebate Program. (September 7). Retrieved from <http://www2.mississippi.org/mda-library-resources/finance-tax-info/tax-exemptions-incentives-and-credits/tourism-rebate-program.html>

NFWF (National Fish and Wildlife Foundation). (2013). *Fact Sheet: About National Fish and Wildlife Foundation*. NFWF Retrieved from <http://www.nfwf.org/gulf/Documents/About-NFWF-and-Gulf-projects-2-1-13.pdf>.

NOC (National Ocean Council). (2013). *National Ocean Policy Implementation Plan*. Retrieved from [https://www.whitehouse.gov/sites/default/files/national\\_ocean\\_policy\\_implementation\\_plan.pdf](https://www.whitehouse.gov/sites/default/files/national_ocean_policy_implementation_plan.pdf).

Panama City Port Authority (2015). Port Overview. (September 7). Retrieved from <http://www.portpanamacityusa.com/port-overview.php>

Partnership for Florida's Tourism (2012). Tourism Works for Florida. (September 7). Retrieved from <http://tourismworksforflorida.org/>

Port Corpus Christi (2012). Port Corpus Christi Ship Channel - Channel Improvement Project. Retrieved from <http://www.portofcc.com/index.php/initiatives/channel-improvement-project>

Port Freeport (2014). *Comprehensiv Annual Financial Report. For the Fiscal Years Ended September 30, 2014 and 2013*.

Port of Brownsville (2012). Port of Brownsville. (September 7). Retrieved from [http://www.portofbrownsville.com/index.php?option=com\\_content&task=view&id=735&Itemid=27](http://www.portofbrownsville.com/index.php?option=com_content&task=view&id=735&Itemid=27).

Port of Galveston (2013). *Comprehensive Annual Financial Report. For Year Ending December 31, 2013*. The Board of Trustees of the Galveston Wharves. A Component Unit of City of Galveston, Texas. Retrieved from <http://www.portofgalveston.com/documentcenter/view/761>.

Port of Houston Authority (2012). Container Terminals-Bayport. (September 7). Retrieved from <http://www.portofhouston.com/container-terminals/bayport/>

Port of Houston Authority (2015). Upcoming Projects. (September 7). Retrieved from <http://www.portofhouston.com/upcoming-projects>

Port of New Orleans (2007). *Five-Year Capital Improvement Plan 2007-2011 for Ports Association of Louisiana Member Ports*. Prepared for The Ports Association of Louisiana. Retrieved from [http://portsoflouisiana.org/documents/Five-Year\\_Capital\\_Improvement\\_Plan\\_2007-2011\\_for\\_PAL\\_Member\\_Ports\\_%28Shaw\\_2007%29.pdf](http://portsoflouisiana.org/documents/Five-Year_Capital_Improvement_Plan_2007-2011_for_PAL_Member_Ports_%28Shaw_2007%29.pdf).

Port of New Orleans (2011). *DOT Formally Awards 16.7 Million to Port*. Port of New Orleans [Press release]. Retrieved from <http://63.243.21.112:8083/PRESSRELDSP.HTM>

Port of New Orleans (2012a). *Charting the Future Port of New Orleans Master Plan: 2020 Master Plan*. Retrieved from [http://www.thepeoplellc.com/files/PNO\\_Master\\_Plan.pdf](http://www.thepeoplellc.com/files/PNO_Master_Plan.pdf).

Port of New Orleans (2012b). Facilities. Retrieved from <http://www.portno.com/facilities>

Port of Pascagoula (2015). Port of Pascagoula. (September 7). Retrieved from <http://portofpascagoula.com/>

Port of South Louisiana (2015). Globalplex Intermodal Terminal. (September 7). Retrieved from <http://www.portsl.com/globalplex.htm>

Seaport Press Review (2012). *Port of Galveston Approves Key Business Points of Agreement with Texas, Mexico and Pacific Railroad* [Press release]. Retrieved from <http://www.ajot.com/news/port-of-galveston-approves-key-business-points-of-agreement-with-texas-mexi>

SETRPC (South East Texas Regional Planning Commission). (2010). *Comprehensive Economic Development Strategy (CEDS)*. Retrieved from [http://setrpc.org/ter/files/ecodev/SETEDD\\_2010CEDS.pdf](http://setrpc.org/ter/files/ecodev/SETEDD_2010CEDS.pdf).

TAMU (Texas A&M University). (2015). Welcome to Nature Tourism at Texas A&M Agrilife Extension. (September 7). Retrieved from <http://naturetourism.tamu.edu/>

Texas City (2009). *Texas City International Terminal*. Retrieved from [http://www.texas-city-tx.org/users/0006/economic\\_development/doc/texas\\_city\\_international\\_terminal.pdf](http://www.texas-city-tx.org/users/0006/economic_development/doc/texas_city_international_terminal.pdf).

Texas Office of the Governor (2015). Economic Development and Tourism. (September 7). Retrieved from <http://gov.texas.gov/ecodev>

Texas State Water Development Board (2012). *Texas State Water Plan*. Retrieved from <http://www.twdb.texas.gov/waterplanning/swp/2012/>.

Texas Tourism Council (2012). Texas Nature Tourism Council. (September 7). Retrieved from <http://www.ttia.org/?tntc>

THC (Texas Historical Commission). (2012). Texas Heritage Trails Program. Retrieved from <http://www.thc.state.tx.us/preserve/projects-and-programs/texas-heritage-trails>

USACE (U.S. Army Corps of Engineers). (2012). *Civil Works Budget and Performance, 2012 Work Plan*. Retrieved from [http://www.usace.army.mil/Portals/2/docs/civilworks/budget/workplan/fy12wp\\_om.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/budget/workplan/fy12wp_om.pdf).

- USACE (U.S. Army Corps of Engineers). (2015). Beneficial Use of Dredged Material. (September 7). Retrieved from <http://www.mvn.usace.army.mil/About/Offices/Operations/BeneficialUseofDredgedMaterial.aspx>
- USAF (U.S. Air Force). (2009). *Final Base Realignment and Closure 2005 Environmental Impact Statement, Record of Decision for the Implementation of BRAC 2005. Decisions for the Joint Strike Fighter, Initial Joint Training Site.*
- USDA (2013). *The Conservation Reserve Program: 45th Signup Results.* USDA Farm Service Agency, Conservation and Environmental Program Division. Retrieved from [https://www.fsa.usda.gov/Internet/FSA\\_File/su45state0913.pdf](https://www.fsa.usda.gov/Internet/FSA_File/su45state0913.pdf).
- World Port Source (2015). Point Comfort. Port Commerce. (September 7). Retrieved from [http://www.worldportsource.com/ports/commerce/USA\\_TX\\_Point\\_Comfort\\_57.php](http://www.worldportsource.com/ports/commerce/USA_TX_Point_Comfort_57.php)

## Appendix C. Cooperating Agency Correspondence

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### C.1 NOAA Correspondence





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

Cynthia K. Dohner, Regional Director  
US Fish and Wildlife Service, SE Region  
1875 Century Boulevard, Suite 400  
Atlanta, GA 30345

Dear Ms. Dohner:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the Department of Interior's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* (DWH) Oil Spill Programmatic Damage Assessment and Restoration Plan (PDARP). We initially invited your participation as a cooperating agency for preparing this PEIS in 2011, and due to the length of time since then we want to reaffirm your cooperating agency status.

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

#### LEAD AGENCY RESPONSIBILITIES:

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.
4. Provide a schedule for review of the preliminary and final drafts of the PEIS by cooperating agencies.
5. Consider comments identified by cooperating agencies in revisions to drafts of the PEIS.



6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.
7. Ensure that the PEIS identifies cooperating agencies as such.

COOPERATING AGENCY RESPONSIBILITIES:

1. Participate in the development of the PEIS.
2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation



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

SEP 03 2015

Ken Kopocis  
Senior Advisor, EPA Office of Water  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Mail Code: 4101M  
Washington, DC 20460

Dear Mr. Kopocis:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the U.S. Environmental Protection Agency's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* (DWH) Oil Spill Programmatic Damage Assessment and Restoration Plan (PDARP). We initially invited your participation as a cooperating agency for preparing this PEIS in 2011, and due to the length of time since then we want to reaffirm your cooperating agency status.

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

#### LEAD AGENCY RESPONSIBILITIES:

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.





4. Provide a schedule for review of the preliminary and final drafts of the PEIS by cooperating agencies.
5. Consider comments identified by cooperating agencies in revisions to drafts of the PEIS.
6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.
7. Ensure that the PEIS identifies cooperating agencies as such.

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2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation



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

Ann Mills  
Deputy Under Secretary for Natural Resources and Environment  
United States Department of Agriculture  
1400 Independence Ave, S.W  
Jamie L Whitten Building, Suite 240E  
Washington, DC 20250

Dear Ms. Mills:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the U.S. Department of Agriculture's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* (DWH) Oil Spill Programmatic Damage Assessment and Restoration Plan (PDARP). We initially invited your participation as a cooperating agency for preparing this PEIS in 2011, and due to the length of time since then we want to reaffirm your cooperating agency status.

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

**LEAD AGENCY RESPONSIBILITIES:**

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.
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agencies.

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6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.
7. Ensure that the PEIS identifies cooperating agencies as such.

COOPERATING AGENCY RESPONSIBILITIES:

1. Participate in the development of the PEIS.
2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation





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

SEP 03 2015

Mimi A. Drew  
Special Advisor  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard, MS 31  
Tallahassee, FL 32399-3000

Dear Ms. Drew:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the State of Florida's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

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during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.

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Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation





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

SEP 03 2015

N. Gunter Guy, Jr.  
Alabama Department of Conservation and Natural Resources  
64 North Union Street  
Montgomery, AL 36130

Dear Mr. Guy:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the State of Alabama's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

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Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation





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

SEP 03 2015

Gary Rikard  
Executive Director  
Mississippi Department of Environmental Quality  
P.O. Box 2249  
Jackson, MS 39225

Dear Mr. Rikard:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the State of Mississippi's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the Deepwater Horizon Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

LEAD AGENCY RESPONSIBILITIES:

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.
4. Provide a schedule for review of the preliminary and final drafts of the PEIS by cooperating agencies.
5. Consider comments identified by cooperating agencies in revisions to drafts of the PEIS.
6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS



during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.

7. Ensure that the PEIS identifies cooperating agencies as such.

COOPERATING AGENCY RESPONSIBILITIES:

1. Participate in the development of the PEIS.
2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation





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

SEP 03 2015

Kyle Graham  
Executive Director  
Louisiana Coastal Protection and Restoration Authority  
P.O. Box 44027  
Baton Rouge, LA 70804

Dear Mr. Graham:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the State of Louisiana's status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

#### LEAD AGENCY RESPONSIBILITIES:

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.
4. Provide a schedule for review of the preliminary and final drafts of the PEIS by cooperating agencies.
5. Consider comments identified by cooperating agencies in revisions to drafts of the PEIS.
6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS



during the public comment period and provide an initial identification of those comments pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.

7. Ensure that the PEIS identifies cooperating agencies as such.

COOPERATING AGENCY RESPONSIBILITIES:

1. Participate in the development of the PEIS.
2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation





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

SEP 03 2015

Carter Smith  
Texas Parks and Wildlife Department  
4200 Smith School Road  
Austin, TX 78744

Dear Mr. Smith:

The National Oceanic and Atmospheric Administration (NOAA) is writing you to reaffirm the State of Texas' status in regard to participating as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

In accordance with the National Environmental Policy Act (NEPA) of 1969, NOAA is preparing a PEIS to evaluate restoration alternatives. The PEIS will evaluate potential direct, indirect and cumulative impacts from a wide range of proposed restoration activities, and will facilitate decision-making in the restoration planning process. The PEIS is integrated with a PDARP being prepared under Oil Pollution Act.

To adequately develop the PEIS and evaluate the potential environmental effects of the restoration alternatives, NOAA is inviting the participation of the Department of Interior (DOI), the U.S. Environmental Protection Agency (EPA), the U.S. Department of Agriculture (USDA), and the U.S. Army Corps of Engineers (ACOE) as Federal cooperating agencies in accordance with the Council on Environmental Quality's (CEQ) regulation 40 CFR Part 1501, and CEQ Cooperating Agency guidance issued January 30, 2002. NOAA is also inviting each of the state Natural Resource Trustees for the DWH oil spill (Alabama, Florida, Louisiana, Mississippi, and Texas) to serve as a cooperating agency in preparation of the PEIS, due to each state's natural resource trusteeship and special expertise in their respective jurisdictions regarding environmental issues related to the DWH oil spill.

Responsibilities of the lead agency (NOAA) and cooperating agencies are outlined below.

LEAD AGENCY RESPONSIBILITIES:

1. Assume primary responsibility for meeting the requirements of NEPA, including the preparation of the draft and final PEIS. In this capacity, the lead agency will ensure that the PEIS includes information needed to address state and federal compliance requirements.
2. Consult with cooperating agencies regarding any issues of concern related to the PEIS.
3. Provide cooperating agencies with copies of the preliminary draft(s) of the PEIS in a timely manner.
4. Provide a schedule for review of the preliminary and final drafts of the PEIS by cooperating agencies.
5. Consider comments identified by cooperating agencies in revisions to drafts of the PEIS.
6. Ensure that cooperating agencies receive copies of all relevant comments received on the PEIS during the public comment period and provide an initial identification of those comments



pertaining to an agencies' expertise or regulatory authority. This may require cooperating agencies to prepare written responses for inclusion in the final PEIS.

7. Ensure that the PEIS identifies cooperating agencies as such.

COOPERATING AGENCY RESPONSIBILITIES:

1. Participate in the development of the PEIS.
2. Provide special expertise on environmental issues associated with restoration and the DWH oil spill.
3. Provide special expertise on environmental issues that fall under a cooperating agency's jurisdictional responsibilities.
4. Review preliminary documents and provide comments to the lead agency in accordance with specified timelines.
5. Provide the lead agency with timely identification of any significant issues raised based on each cooperating agency's special expertise on environmental issues and jurisdiction by law.

Thank you for your consideration in this matter. We look forward to your earliest response; please reply to Mr. Christopher Doley ([chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)) with a cc to Ms. Kristin O'Brien ([kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)). If you have any questions, please contact Ms. Aileen Smith at 301-427-8625, or by email at [aileen.smith@noaa.gov](mailto:aileen.smith@noaa.gov).

Sincerely yours,



Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service

cc: Pat Montanio, Office of Habitat Conservation



## C.2 Trustee Correspondence



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1875 Century Boulevard  
Atlanta, Georgia 30345

In Reply Refer To  
FWS/R4/NRDAR

SEP 17 2015

Mr. Christopher Doley  
United States Department of Commerce  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Silver Spring, Maryland 20910

Dear Mr. Doley:

Thank you for your letter dated September 10, 2015, inviting us to participate as a cooperating agency in the preparation of a Programmatic Damage Assessment and Restoration Plan and Programmatic Environmental Impact Statement (PDARP/PEIS) related to the *Deepwater Horizon* (DWH) Oil Spill.

We accept your invitation and also confirm that our role and assistance began when the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA), as lead agency, initiated the preparation of the PDARP/PEIS. As both a DWH Trustee Council member and PDARP/PEIS cooperating agency under NEPA (40 CFR 1501.6), we will continue to provide information and analyses per our special expertise and jurisdictional responsibilities, make staff available to support this effort, and participate in the public review process.

I designate Dr. Kevin D. Reynolds, DOI DWH case manager, as the primary point of contact. Dr. Reynolds can be reached by telephone at 404-679-7292 or by email at [kevin\\_reynolds@fws.gov](mailto:kevin_reynolds@fws.gov). As a Trustee, DOI looks forward to participating in this process as a cooperating agency and working with NOAA to help restore our trust resources.

Sincerely yours,

Cynthia K. Dohner  
Authorized Official  
U.S. Department of the Interior



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 16 2015

OFFICE OF WATER

Mr. Samuel D. Rauch III  
Deputy Assistant Administrator for Regulatory Programs  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
Silver Spring, Maryland 20910

Dear Mr. Rauch:

Thank you for your letter dated September 3, 2015, requesting that the EPA reaffirm its status as a cooperating agency for the National Oceanic and Atmospheric Administration's preparation of a Programmatic Environmental Impact Statement for the *Deepwater Horizon* Oil Spill Programmatic Damage Assessment and Restoration Plan.

As a Federal Trustee for the Deepwater Horizon Oil Spill, the EPA looks forward to our continued participation in this process as a cooperating agency and working with NOAA and our fellow Trustees in this matter. Please do not hesitate to contact me with any questions you may have at (202) 564-5700 or you may call Gale Bonanno of the Office of Wetlands, Oceans, and Watersheds at (202) 564-2243.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth J. Kopocis".

Kenneth J. Kopocis  
Deputy Assistant Administrator

cc: Mary Kay Lynch  
Tom Wall  
Susan Bromm  
Chris Doley (NOAA)  
Kristin O'Brien (NOAA)



United States Department of Agriculture

Office of the Secretary  
Washington, D.C. 20250

SEP 14 2015

Mr. Samuel D. Rauch, III  
Deputy Assistant Administrator for Regulatory Programs  
NOAA National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Mr. Rauch, III:

Thank you for inviting the U.S. Department of Agriculture (USDA) to serve as a cooperating agency in the development of the Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* (DWH) Oil Spill Programmatic Damage Assessment and Restoration Plan (PDARP).

USDA accepts this invitation. We also commit to our role as a cooperating agency per 40 CFR 1501.6. As such, we will participate in development of the PEIS and other documents. In addition, we will provide special expertise on environmental issues related to restoration for the DWH oil spill and for issues that fall under our jurisdictional responsibilities. Finally, we will make staff available to review and comment on documents, and to provide timely identification of any significant issues.

We look forward to continuing work with the Department of Commerce's National Oceanic and Atmospheric Administration on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann C. Mills", is written over a large, faint, diagonal watermark that says "DRAFT".

Ann C. Mills  
Deputy Under Secretary, Natural Resources and Environment





---

**Re: DWH PDARP/PEIS Cooperating Agency Confirmation**

1 message

**Drew, Mimi** <Mimi.Drew@dep.state.fl.us>

Thu, Sep 10, 2015 at 11:33 AM

To: "Jeff P. Smith - NOAA Federal" &lt;jeff.p.smith@noaa.gov&gt;

Cc: Chris Doley &lt;chris.doley@noaa.gov&gt;, Craig R O'Connor - NOAA Federal &lt;craig.r.o'connor@noaa.gov&gt;, Kristin O'Brien &lt;kristin.o'brien@noaa.gov&gt;, Aileen Smith - NOAA Federal &lt;aileen.smith@noaa.gov&gt;, Jeff Shenot - NOAA Federal &lt;jeff.shenot@noaa.gov&gt;, Pat Montanio - NOAA Federal &lt;pat.montanio@noaa.gov&gt;

I confirm that Florida is a cooperating agency.

Mimi A. Drew  
Florida NRDA Trustee and  
RESTORE Council Representative  
[850-933-0202](tel:850-933-0202)

----- Forwarded message -----

From: **Samek, Kelly** <[Kelly.Samek@myfwc.com](mailto:Kelly.Samek@myfwc.com)>

Date: Fri, Sep 18, 2015 at 2:27 PM

Subject: cooperating agency status

To: "jeff.p.smith@noaa.gov" &lt;jeff.p.smith@noaa.gov&gt;

Cc: Stephanie Willis - NOAA Federal <[stephanie.willis@noaa.gov](mailto:stephanie.willis@noaa.gov)>

Jeff,

The attached request was forwarded to me from FDEP. On behalf of the Florida Fish and Wildlife Conservation Commission, I affirm our commitment to participate as a cooperating agency in the preparation of the Programmatic Environmental Impact Statement for the DWH Programmatic Damage Assessment and Restoration Plan.

Regards,

Kelly Samek

Gulf Restoration Coordinator

3900 Commonwealth Blvd., MS 7A5

Tallahassee, FL 32399

Florida Fish and Wildlife  
Conservation Commission[MyFWC.com](http://MyFWC.com)



STATE OF ALABAMA  
**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

64 NORTH UNION STREET, SUITE 468  
MONTGOMERY, ALABAMA 36130  
(334) 242-3486  
FAX (334) 242-3489

ROBERT BENTLEY  
GOVERNOR

N. GUNTER GUY, JR.  
COMMISSIONER

CURTIS JONES  
DEPUTY COMMISSIONER

VIA EMAIL

Christopher Doley  
Chris.Doley@noaa.gov

Dear Mr. Doley:

This letter is to confirm that both of the Alabama natural resource damage trustees agreed to participate as cooperating agencies for the preparation of the Programmatic Environmental Impact Statement for the *Deepwater Horizon* Oil Spill Programmatic Damage Assessment and Restoration Plan. The primary point of contact on this matter continues to be N. Gunter Guy, Jr., Commissioner, Alabama Department of Conservation and Natural Resources.

We look forward to continuing to work with NOAA and the other trustees on this matter.

N. Gunter Guy, Jr.  
Alabama Department of Conservation and Natural Resources  
Commissioner of Conservation

Berry H. Tew, Jr.  
Geological Survey of Alabama and State Oil and Gas Board of Alabama  
State Geologist/Oil & Gas Supervisor

cc: Kristin O'Brien – Kristin.O'Brien@noaa.gov



STATE OF MISSISSIPPI  
PHIL BRYANT  
GOVERNOR  
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
GARY C. RIKARD, EXECUTIVE DIRECTOR

September 17, 2015

VIA E-MAIL

Mr. Christopher Doley  
NOAA  
Silver Spring, MD 20910

Re: Programmatic Environmental Impact Statement (PEIS) for the Deepwater Horizon Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP)

Dear Mr. Doley:

Thank you for requesting that the Mississippi Department of Environmental Quality (MDEQ) reaffirm its status to participate as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the Deepwater Horizon Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP).

MDEQ reaffirms its desire to participate and to continue to participate as a cooperating agency in the development of the PEIS for the PDARP. As you are aware, MDEQ's role and assistance in this regard began when the National Oceanic and Atmospheric Administration (NOAA) initiated the effort to develop the PEIS for the DWH Oil Spill. As both the natural resource trustee for the State of Mississippi and a cooperating agency under the National Environmental Policy Act (40 CFR 1501.6), MDEQ will continue to participate in the development of the PEIS for the PDARP, provide information and prepare analyses per its special expertise and jurisdictional responsibilities, make staff available to support interdisciplinary capability, and participate in public review processes.

MDEQ looks forward to continuing to work with NOAA on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary C. Rikard", written over a horizontal line.

Gary C. Rikard  
Executive Director

cc: Ms. Kristin O'Brien  
Mr. Marc Wyatt  
Teri T. Wyly, Esq.



# State of Louisiana

BOBBY JINDAL  
GOVERNOR

September 10, 2015

Mr. Christopher Doley  
United States Department of Commerce  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service  
Silver Spring, MD 20910

Dear Mr. Doley,

The State of Louisiana received your letter dated September 3, 2015, inviting the State to participate as a cooperating agency for the preparation of a Programmatic Environmental Impact Statement (PEIS) for the *Deepwater Horizon* Oil Spill (DWH) Programmatic Damage Assessment and Restoration Plan (PDARP). We accept your invitation to become a cooperating agency for this project as outlined in the letter, and will participate in the suggested activities.

We appreciate the opportunity to participate in this important process and look forward to doing so. If you have additional questions, please contact Alyson Graugnard, at [Alyson.Graugnard@la.gov](mailto:Alyson.Graugnard@la.gov) or (225) 342-2508, our primary agency representative for this project.

Sincerely,

Kyle Graham  
Executive Director

Cc: Ms. Kristen O'Brien, [kristin.o'brien@noaa.gov](mailto:kristin.o'brien@noaa.gov)



Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

September 16, 2015

Mr. Christopher Doley  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
1315 East-West Highway  
Silver Spring, Maryland 20910  
chris.doley@noaa.gov

Dear Mr. Doley:

Thank you for inviting the Texas Commission on Environmental Quality (TCEQ) to reaffirm its status as a cooperating agency in the development of the Programmatic Environmental Impact Statement (PEIS) for the Programmatic Damage Assessment and Restoration Plan related to the *Deepwater Horizon* (DWH) oil spill.

TCEQ accepts this invitation. We also reaffirm that our role and assistance in this regard began when the National Oceanic and Atmospheric Administration (NOAA) initiated the effort to develop the PEIS on behalf of the DWH Trustee Council. As both a Trustee Council member and National Environmental Policy Act cooperating agency (40 CFR 1508.5), TCEQ will participate in the development of the PEIS, provide special expertise on environmental issues associated with restoration and the DWH oil spill and on environmental issues falling under the commission's jurisdictional responsibilities, review preliminary documents and provide comments to the lead agency in accordance with specified timelines, and provide the lead agency with timely identification of any significant issues raised based on the commission's special expertise on environmental issues and jurisdiction by law.

Please consider Richard Seiler the primary point of contact for the commission. Mr. Seiler can be reached at (512) 239-2523 and by email at [richard.seiler@tceq.texas.gov](mailto:richard.seiler@tceq.texas.gov).

We look forward to continued cooperation with NOAA and the DWH Trustee Council on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Hyde".

Richard A. Hyde, P.E.  
Executive Director

cc: Ms. Jane Atwood, Office of the Attorney General of Texas  
Ms. Angela Sunley, Texas General Land Office  
Mr. Don Pitts, Texas Parks and Wildlife Department  
Ms. Kristin O'Brien, National Oceanic and Atmospheric Administration

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

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TEXAS GENERAL LAND OFFICE  
GEORGE P. BUSH, COMMISSIONER

September 14, 2015

Mr. Christopher Doley  
National Oceanic and Atmospheric Administration  
chris.doley@noaa.gov

Dear Mr. Doley:

Thank you for inviting the Texas General Land Office (GLO) to reaffirm its status as a cooperating agency in the development of the Programmatic Environmental Impact Statement (PEIS) for the Programmatic Damage Assessment and Restoration Plan related to the *Deepwater Horizon* (DWH) oil spill.

GLO accepts this invitation. We also reaffirm that our role and assistance in this regard began when the National Oceanic and Atmospheric Administration (NOAA) initiated the effort to develop the PEIS on behalf of the DWH Trustee Council. As both a Trustee Council member and National Environmental Policy Act cooperating agency (40 CFR 1508.5), GLO will participate in the development of the PEIS, provide special expertise on environmental issues associated with restoration and the DWH oil spill and on environmental issues falling under the office's jurisdictional responsibilities, review preliminary documents and provide comments to the lead agency in accordance with specified timelines, and provide the lead agency with timely identification of any significant issues raised based on the office's special expertise on environmental issues and jurisdiction by law.

Please consider Angela Sunley the primary point of contact for the office. Ms. Sunley can be reached at (512) 463-9309 and by email at [angela.sunley@glo.texas.gov](mailto:angela.sunley@glo.texas.gov).

We look forward to continued cooperation with NOAA and the DWH Trustee Council on this project.

Sincerely,

Anne L. Idsal  
Chief Clerk

cc: Jane Atwood, Office of the Attorney General of Texas  
Richard Seiler, Texas Commission on Environmental Quality  
Don Pitts, Texas Parks and Wildlife Department  
Kristin O'Brien, National Oceanic and Atmospheric Administration



Life's better outside.®

September 17, 2015

Mr. Christopher Doley  
National Oceanic and Atmospheric Administration  
1315 East-West Highway, SSMC3  
Silver Spring, MD 20910  
[chris.doley@noaa.gov](mailto:chris.doley@noaa.gov)

Dear Mr. Doley:

Thank you for inviting the Texas Parks and Wildlife Department (TPWD) to reaffirm its status as a cooperating agency in the development of the Programmatic Environmental Impact Statement (PEIS) for the Programmatic Damage Assessment and Restoration Plan related to the *Deepwater Horizon* (DWH) oil spill.

TPWD accepts this invitation. We also reaffirm that our role and assistance in this regard began when the National Oceanic and Atmospheric Administration (NOAA) initiated the effort to develop the PEIS on behalf of the DWH Trustee Council. As both a Trustee Council member and National Environmental Policy Act cooperating agency (40 CFR 1508.5), TPWD will participate in the development of the PEIS, provide special expertise on environmental issues associated with restoration and the DWH oil spill and on environmental issues falling under the department's jurisdictional responsibilities, review preliminary documents and provide comments to the lead agency in accordance with specified timelines, and provide the lead agency with timely identification of any significant issues raised based on the department's special expertise on environmental issues and jurisdiction by law.

We look forward to continued cooperation with NOAA and the DWH Trustee Council on this project. My colleague Don Pitts will be TPWD's point of contact for our agency. If you should have any questions or comments, please do not hesitate to contact Mr. Pitts at 512-389-8754 or by email at [don.pitts@tpwd.texas.gov](mailto:don.pitts@tpwd.texas.gov). Thank you.

Sincerely,

Carter Smith  
Executive Director

CS:JM:dh

cc: Ms. Jane Atwood, Office of the Attorney General of Texas  
Ms. Angela Sunley, Texas General Land Office  
Mr. Richard Seiler, Texas Commission on Environmental Quality  
Ms. Kristin O'Brien, National Oceanic and Atmospheric Administration  
Mr. James Murphy, Texas Parks and Wildlife Department  
Mr. Don Pitts, Texas Parks and Wildlife Department

## Appendix D. Other Laws and Executive Orders

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### D.1 Federal Laws

Americans with Disabilities Act
Antiquities Act of 1906
Archeological Resource Protection Act of 1979
Bald and Golden Eagle Protection Act
Clean Air Act
Clean Water Act (Federal Water Pollution Control Act)
Coastal Barrier Resources Act
Coastal Wetlands Planning, Protection and Restoration Act of 1990
Coastal Zone Management Act
Comprehensive Environmental Response, Compensation, and Liability Act of 1980
Endangered Species Act of 1973
Estuary Protection Act
Farmland Protection Policy Act
Fish and Wildlife Coordination Act
Fish and Wildlife Conservation Act
Magnuson-Stevens Fishery Conservation and Management Act
Marine Mammal Protection Act
Marine Protection, Research and Sanctuaries Act
Migratory Bird Treaty Act of 1918
National Environmental Policy Act of 1969
National Historic Preservation Act of 1966
National Marine Sanctuaries Act
National Wildlife Refuge System Improvement Act of 1997
Native American Graves Protection and Repatriation Act
Oil Pollution Act of 1990
Outer Continental Shelf Lands Act
Park System Resource Protection Act
Rivers and Harbors Act
Water Resources Development Acts

## D.2 Federal Executive Orders and Regulations

Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA
DOI Regulations for Implementing NEPA
DOI NEPA Procedures
NOAA Regulations for NRDA
NOAA NEPA Procedures
Executive Order 11514—Protection and Enhancement of Environmental Quality as amended by Executive Order 11991
Executive Order 11593—Protection and Enhancement of the Cultural Environment
Executive Order 11988—Floodplain Management
Executive Order 11990—Protection of Wetlands
Executive Order 12580—Implementation of Section 311 of the Federal Water Pollution Control Act and OPA as amended by Executive Order 12777
Executive Order 12898—Environmental Justice
Executive Order 12962—Recreational Fisheries
Executive Order 13007—Indian Sacred Sites
Executive Order 13089—Coral Reef Protection
Executive Order 13112—Invasive Species
Executive Order 13158—Marine Protected Areas
Executive Order 13175—Consultation and Coordination with Indian Tribal Governments
Executive Order 13186—Responsibilities of Federal Agencies to Protect Migratory Birds
Executive Order 13352—Facilitation of Cooperative Conservation
Executive Order 13547—Stewardship of the Ocean, Our Coasts, and the Great Lakes
Executive Order 13554—Gulf Coast Ecosystem Restoration Task Force
Executive Order 13653—Preparing the United States for the Impacts of Climate Change
Executive Order 13693—Planning for Federal Sustainability in the Next Decade