United States Department of the Interior

FISH AND WILDLIFE SERVICE
Coastal Ecological Services Field Office
17629 El Camino Real, Suite 211
Houston, Texas 77058
281/286-8282 / (FAX) 281/488-5882

In Reply Refer To:
FWS/R2/CLES/

December 2, 2013

RECEIVED Dec 18 2013

Holly Herod
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, Georgia 30345

Dear Ms. Herod:

Thank you for your letters dated September 27, 2013, requesting concurrence that the proposed enhancement, creation, and/or expansion of the George Vancouver (BA-336) (Liberty Ship), Matagorda (BA-439), Ship (HI-A), and Corpus Christi (MU-775) artificial reefs will not affect federally listed and candidate species, or critical habitats under the jurisdiction of the U. S. Fish and Wildlife Service (Service), or result in take of bald eagles or migratory birds. These projects are located in Texas State Waters of the Gulf of Mexico. Our comments are provided in accordance with the provisions of the Endangered Species Act (16 U.S.C. 1531 et seq.) and the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

The Service has reviewed your request and we concur with your determination that these projects will not affect federally listed and candidate species, or critical habitats, or result in take of bald eagles or migratory birds. Please be advised that the Service only has jurisdiction of sea turtles when on land. The National Marine Fisheries Service has sole jurisdiction of sea turtles in the oceans, seas, bays, estuaries, and brackish water areas[1].

If the project changes or additional information on the distribution of listed or proposed species becomes available, the projects should be reanalyzed for effects not previously considered. Please contact staff biologist A. J. Vale at 281/286-8282 if you have questions or need further assistance with your request for concurrence.

Sincerely,

for

Edith Erfling
Field Supervisor

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[1] U.S. Fish and Wildlife Service and National Marine Fisheries Service. 1977. Memorandum of understanding: defining the roles of the U. S. Fish and Wildlife Service and the National Marine Fisheries Service in joint administration of the endangered species act of 1973 as to sea turtles.