



**US Army Corps  
of Engineers®**  
New York District

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**REVISED DRAFT**  
**Integrated Hurricane Sandy**  
**General Reevaluation Report**  
**and**  
**Environmental Impact Statement**

**Atlantic Coast of New York**

**East Rockaway Inlet to**  
**Rockaway Inlet and Jamaica Bay**

**Appendix D**  
**Environmental Compliance**

**Attachment D2b**  
**Endangered Species Act Compliance**  
**NMFS NLAA Determination Concurrence**

**August 2018**



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
GREATER ATLANTIC REGIONAL FISHERIES OFFICE  
55 Great Republic Drive  
Gloucester, MA 01930-2276

Mr. Peter Weppler, Chief  
Environmental Analysis Branch  
Planning Division  
New York District  
26 Federal Plaza  
New York, NY 10278

JAN 12 2017

**Re: East Rockaway Inlet to Rockaway Inlet**

Dear Mr. Weppler:

We have completed our consultation under section 7 of the Endangered Species Act (ESA) in response to your letter received January 5, 2017 regarding the above-referenced proposed project. We reviewed the action agency's consultation request document and related materials. Based on our knowledge, expertise, and the action agency's materials, we concur with the action agency's conclusion that the proposed action is not likely to adversely affect the ESA-listed species and/or designated critical habitat under our jurisdiction. Therefore, no further consultation pursuant to section 7 of the ESA is required.

Reinitiation of consultation is required and shall be requested by the Federal agency or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law and: (a) If new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; or (c) If a new species is listed or critical habitat designated that may be affected by the identified action. No take is anticipated or exempted. If there is any incidental take of a listed species, reinitiation would be required. Should you have any questions about this correspondence please contact Dan Marrone at 978-282-8465 or Daniel.Marrone@noaa.gov. For questions related to Essential Fish Habitat please contact Karen Greene with our Habitat Conservation Division at (732) 872-3023 or Karen.Greene@noaa.gov.

Sincerely,

Kimberly B. Damon-Randall  
Assistant Regional Administrator  
for Protected Resources

EC: Marrone NMFS/PRD; Gallo ACOE; Greene NMFS/HCD  
PCTS: NER-2017-13934  
File Code: H:\Section 7 Team\Section 7\Non-Fisheries\ ACOE\Informal\2017\New York\Pilot\_East Rockaway Inlet

