



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

FINAL
**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**

December 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

