

# Appendix A

## Agency Coordination

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**Appendix A Correspondence Index**

<b>DATE</b>	<b>FROM</b>	<b>TO</b>	<b>SUBJECT</b>
January 11, 2013	Virginia Marine Resources Commission	NASA	Existing Permit Applicability
March 18, 2013	U.S. Army Corps of Engineers	NASA	Existing Permit Applicability
March 20, 2013	Virginia Department of Historic Resources	NASA	Cultural Resources Compliance Protocol
March 20, 2013	U.S. Fish & Wildlife Service	NASA	Existing Programmatic Biological Opinion Applicability
March 21, 2013	National Marine Fisheries Service – Protected Resources Division	NASA	Existing Biological Opinion Applicability and Consideration of New Information

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Friday, March 1, 2013 9:32:55 AM ET

**Subject:** NASA 10-2003

**Date:** Friday, January 11, 2013 12:58:00 PM ET

**From:** Badger, Hank (MRC)

**To:** Bundick, Joshua A. (WFF-2500)

Josh,

I've talked to Tony today and we both agree that your existing above permit gives NASA the authorization (from VMRC) to place sand on the beach on an as needed bases until February 22, 2016, provide NASA does not exceed the permitted footprint or heights. The permit may/could be renewed for an additional 5 years if NASA request it prior to Feb. 2016.

However, if NASA uses upland sand instead of the permitted dredge site, a permit modification would be required. We could handle that modification in house provided the sand used is >90% sand.

Let me know if you need anything else.

Hank

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Monday, March 25, 2013 9:16:03 AM ET

**Subject:** Beach Repair (UNCLASSIFIED)  
**Date:** Monday, March 18, 2013 9:47:34 AM ET  
**From:** Cole, Robert H NAO  
**To:** Bundick, Joshua A. (WFF-2500)  
**CC:** Turner, Carolyn (WFF-2500), Bull, Paul C. (WFF-2280), Mears, George H NAO

Classification: UNCLASSIFIED  
Caveats: NONE

Josh,

The repair work you are proposing is within the scope and construction time frame for the permit the Corp issued last year. Since you are coordinating with all of the agencies, there is no requirement for any additional Department of the Army Permits at this time. Please remember that any changes to the scope of the project will require a permit modification.

If you need any assistance or want to discuss the project, please give me a call.

Robert Cole  
Eastern Virginia Regulatory Section  
PO Box 125  
Greenbackville, VA 23356  
(757) 903- 1562

Classification: UNCLASSIFIED  
Caveats: NONE

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received February 25, 2013

National Aeronautics and  
Space Administration  
**Goddard Space Flight Center**  
**Wallops Flight Facility**  
**Wallops Island, VA 23337**



Reply to Attn of: 228

February 25, 2013

Office of Review and Compliance  
Attn: Ms. Amanda Lee  
Virginia Department of Historic Resources  
2801 Kensington Avenue  
Richmond, VA 23221

**Subject: Section 106 Consultation for Wallops Island Beach Renourishment**  
**NASA, Goddard Space Flight Center's Wallops Flight Facility, Wallops Island, VA**

Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, this letter serves to inform VDHR that NASA is proposing to renourish the Wallops Island beach in response to damages sustained during Hurricane Sandy.

Similar to the initial beachfill project conducted in 2012 (VDHR File #: 2007-0084), NASA would obtain the necessary sand from an offshore shoal in Federal waters and would require authorizations from both the U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) and the U.S. Army Corps of Engineers (USACE).

The BOEM has jurisdiction over mineral resources on the Federal Outer Continental Shelf (OCS) and would enter into a negotiated agreement with NASA and USACE pursuant to section 8(k)(2)(d) of the OCS Lands Act. Under Section 404 of the Clean Water Act (CWA), the USACE Regulatory Program has jurisdiction over the disposal of dredged and fill material in Waters of the U.S. Similarly, under Section 10 of the Rivers and Harbors Act of 1899, the USACE has jurisdiction over the placement of structures and work, conducted in navigable waters of the U.S., and would issue a permit to enable the proposed project. Finally, in addition to its regulatory role in the project, the USACE Norfolk District is overseeing project design, construction, and monitoring on NASA's behalf.

To this end, NASA has assumed the role of Lead Federal Agency for NHPA compliance and both BOEM and USACE are participating in NASA's Section 106 process. The effects of their actions are considered in all project documents, including this correspondence.

Background

On December 13, 2010, NASA issued a *Record of Decision (ROD)* for its *Final Programmatic Environmental Impact Statement Wallops Flight Facility Shoreline Restoration and Infrastructure Protection Program (Final PEIS)*. In its *ROD*, NASA selected for implementation Alternative 1, Seawall Extension and Beach Fill.

As identified in the *Final PEIS* and *ROD*, the initial phase of the project entailed NASA extending its existing rock seawall approximately 1,415 feet (ft) south and then dredging and placing approximately 3.2 million cubic yards (CY) of sand from an offshore shoal referred to as Unnamed Shoal A.

After issuing its *ROD* and securing necessary permits, NASA and its technical partner, the USACE Norfolk District, oversaw the construction of the project between April and August 2012. Both during and after completing the initial beach fill cycle, the agencies have sponsored multiple topographic and hydrographic surveys of the project area. The most recent monitoring effort, conducted in November 2012 following Hurricane Sandy, identified the need to renourish the beach.

The survey data indicate the area that sustained the greatest damage is the southern half of the project site; behind which are some of NASA and the Commonwealth of Virginia's most critical launch assets, including Launch Complex 0 and five sounding rocket pads, are located. Of particular concern is the fact that the seaward half of the dune has been lost in most places and the beach berm has been lowered by at least several feet. Although it can be expected that some of the sand moved offshore will eventually move back into the intertidal zone on the beach, those areas of highest elevation (i.e., dune and berm) would require renourishment to regain their full functionality.

Description of the Undertaking

Upon receipt of the abovementioned authorizations, NASA would contract the dredging of up to 800,000 cubic yards of sand from the same borrow area that was the source of material for the initial beach fill. Given the distance of the borrow area from Wallops Island, it is expected that the contractor would again use one or more trailing suction hopper dredge(s) to obtain the material.

Nearshore, it is expected that the contractor would employ construction methods requiring one or more anchored pumpout station(s) approximately 2 miles east of Wallops Island in 25-30 feet of water. Up to several miles of submerged steel pipeline would be temporarily placed on the seafloor and would be the conduit by which the sand/water slurry would be pumped from the dredge to the beach. Once discharged onto the beach, mechanized equipment (e.g., bulldozers) would grade the material to the design template.

The linear extent of the proposed beachfill would be approximately 2.3 miles described generally as the shoreline between the Z-100 camera stand on the south up to just beyond the Horizontal Integration Facility located mid-island.

Following beachfill, NASA would re-plant the dunes with native vegetation and install sand fencing to trap windblown sand.

Depending upon the amount of funding available for the project, it is also possible that NASA would further extend its rock seawall to the south, however the additional distance would remain within the maximum 4,600 foot distance described in the *Final PEIS*.

In summary, with the exception of a shortened time between initial fill and the first renourishment cycle, the proposed undertaking is substantially equivalent to the renourishment component described in the *Final PEIS*, which estimated that approximately 806,000 CY of material would be needed every 3-7 years.

Area of Potential Effects (APE)

Similar to the initial beach fill cycle, the APE would consist of the offshore sand shoal, the generally defined nearshore zone within which the anchored pumpout station(s) and pipeline would be located, and the Wallops Island beach (see enclosed map).

Identification of Resources

In November 2003, URS Group, Inc. and EG&G prepared a Cultural Resources Assessment of Wallops Flight Facility, Accomack County, Virginia that examined each of the three land areas of the facility within WFF's property boundaries: Wallops Main Base, Wallops Mainland, and Wallops Island. This report established a predictive model for archaeological potential for the entire WFF property. VDHR concurred with the findings of this report in a letter dated December 3, 2003.

In December 2004, URS and EG&G prepared a Historic Resources Survey and Eligibility Report for Wallops Flight Facility that included an evaluation of buildings and structures at WFF built prior to 1956 for their eligibility for listing in the National Register of Historic Places (NRHP). Two resources—the Wallops Coast Guard Lifesaving Station (VDHR #001-0027-0100; WFF# V-065) and its associated Coast Guard Observation Tower (001-0027-0101; WFF# V-070)—were found to be eligible for listing in the NRHP and Virginia Landmarks Register. The other surveyed resources were determined not to be NRHP eligible because they lacked the historical significance or integrity necessary to convey significance. In a letter dated November 4, 2004, the VDHR concurred with the findings and determinations in the Historic Resources Survey and Eligibility Report.

In accordance with BOEM nautical archaeology guidelines, the proposed offshore borrow area was surveyed by URS Group, Inc., in 2009 and determined to be clear of submerged archaeological resources.

Onshore, NASA contracted with URS Group, Inc., in 2006, 2007, and 2009 to survey the Wallops Island beach for potential archaeological and architectural resources that could be affected by shoreline restoration work; none were identified. Subsequent to the shoreline-specific studies, in 2011 NASA commissioned a follow-on Historic Resources Eligibility Survey (DHR File No. 2010-2274), which continued the evaluation of multiple structures on Wallops Island for National Register eligibility. None were determined to meet the necessary criteria for eligibility.

In 2012, the prime contractor for initial beach fill project, Great Lakes Dredge & Dock Company, LLC, sub-contracted Gahagan & Bryant Associates to conduct marine remote sensing surveys of all proposed mooring locations. No obstructions or areas of archeological concern were identified within the proposed work areas (refer to VDHR File#: 2007-0084, letter from NASA dated March 8, 2012). However it is possible that the contractor for the proposed renourishment would anchor his equipment in different locations than those previously surveyed. Therefore, additional survey work may be necessary to fully assess the potential for resources within the APE.

Future Survey of APE and Chance Finds Protocol

Consistent with the approach taken during the initial beach fill cycle, NASA proposes to require its dredge contractor to survey proposed pumpout locations prior to anchoring them in previously unsurveyed areas. Though NASA would encourage the contractor to utilize nearshore areas that have already been surveyed, the ultimate decision would be left the contractor with the stipulation that if the proposed mooring location is outside of those areas already surveyed, a remote sensing survey (e.g., side scan sonar, magnetometer) shall be conducted prior to anchor placement. Any identified anomalies would be avoided to mitigate potential adverse effects.

Consistent with the other two terms of the agreement developed between VDHR and NASA for the initial beach fill cycle, should the dredge contractor discover a resource of potential archaeological significance, he shall be required to establish a 1,000-foot buffer around the discovery, establish the precise location of the discovery, and notify the NASA Historic Preservation Officer. NASA would immediately consult with VDHR regarding the National Register eligibility and treatment of the discovery, however work would continue outside the 1,000-foot buffer.

Determination of Effect

Given the lack of potential resources within areas already surveyed, and the above-summarized procedures that would be employed should new sites be identified for nearshore pumpout, NASA concludes that there would be "no historic properties affected" by the proposed undertaking.

Your concurrence with this determination is respectfully requested. For your convenience, a signature line is included at the bottom of this correspondence. If you have any questions, please contact me, Randall Stanley, at (757) 824-1309, or Josh Bundick at (757) 824-2319.

Sincerely,



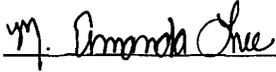
Randall M. Stanley  
WFF Historic Preservation Officer

Enclosure

cc:  
228/Mr. G. Lilly  
250/Mr. J. Bundick  
BOEM/Mr. G. Wikel  
USACE/Mr. R. Cole

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Provided that NASA requires its dredge contractor to follow the above-described project conditions, the Virginia Department of Historic Resources concurs with NASA that the proposed undertaking (renourishment of the Wallops Island beach) would have no effect on National Register-eligible properties.

  
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Office of Review and Compliance  
Virginia Department of Historic Resources

March 20, 2013  
Date

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Monday, March 25, 2013 9:18:34 AM ET

**Subject:** RE: Post-Hurricane Sandy beach renourishment Wallops Island Flight Facility  
**Date:** Wednesday, March 20, 2013 2:30:45 PM ET  
**From:** Mike Drummond  
**To:** Bundick, Joshua A. (WFF-2500)

Josh,

The proposed seawall work is also covered by the PBO as long as it is confined to the areas defined in the SRIPP BA and PBO.

Mike

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**From:** Bundick, Joshua A. (WFF-2500) [mailto:[joshua.a.bundick@nasa.gov](mailto:joshua.a.bundick@nasa.gov)]  
**Sent:** Wednesday, March 20, 2013 2:27 PM  
**To:** Mike Drummond  
**Subject:** Re: Post-Hurricane Sandy beach renourishment Wallops Island Flight Facility

Hi Mike, thanks for the response.

Quick question, as you may recall from the letter we sent, we are also considering, on a funds available basis, either some additional rock seawall extension or repair, which would be done prior to beachfill, and then covered with sand. All work would be confined to the 4,600 foot maximum length considered in the SRIPP BA and PBO.

Please confirm that this does not present any issues.

Best,

Josh

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Joshua Bundick  
Lead, Environmental Planning  
NASA Wallops Flight Facility  
Wallops Island, VA 23337  
O: (757) 824-2319  
F: (757) 824-1819  
[Joshua.A.Bundick@nasa.gov](mailto:Joshua.A.Bundick@nasa.gov)

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**From:** Mike Drummond <[mike\\_drummond@fws.gov](mailto:mike_drummond@fws.gov)>  
**Date:** Wednesday, March 20, 2013 2:16 PM  
**To:** "Bundick, Joshua A. (WFF-2500)" <[Joshua.A.Bundick@nasa.gov](mailto:Joshua.A.Bundick@nasa.gov)>  
**Cc:** "[troy\\_andersen@fws.gov](mailto:troy_andersen@fws.gov)" <[troy\\_andersen@fws.gov](mailto:troy_andersen@fws.gov)>, Cindy Schulz <[cindy\\_schulz@fws.gov](mailto:cindy_schulz@fws.gov)>  
**Subject:** Post-Hurricane Sandy beach renourishment Wallops Island Flight Facility

We have reviewed the project proposal dated February 25, 2013 for the proposed post-Hurricane Sandy beach nourishment at Wallops Island, Virginia. The following comments are provided under provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended.

The National Aeronautics and Space Administration (NASA) plans to obtain the necessary sand from an offshore shoal in Federal waters. This sand acquisition will require authorizations from both the U.S. Department of the Interior's Bureau of Ocean Energy Management and the U.S. Army Corps of Engineers. Upon receipt of the required authorizations, NASA will contract for the dredging and placement of up to

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800,000 cubic yards of sand from the borrow area (Unnamed Shoal A, sub-area A-1) off-shore. The linear extent of the proposed sand renourishment will be approximately 2.3 miles (the shoreline between the Z-100 camera stand on the south, to just beyond the Horizontal Integration Facility located mid-island). Work on the north end of the Wallops Island beach is not planned with the exception of the construction contractor potentially utilizing the area just north of the rock seawall terminus as a point of ingress/egress.

It is expected that the dredging and sand renourishment work will take 1.5 to 3 months to complete. The timing of the work will be dependent upon contractor availability; therefore the U.S. Fish and Wildlife Service is assuming that the project could be conducted at any time of year.

The U.S. Fish and Wildlife Service concurs with NASA's determination that the project, as proposed, is included in the July 30, 2010 Programmatic Biological Opinion (PBO) on the Wallops Flight Facility Shoreline Restoration and Infrastructure Protection Program. While the proposed project has a shortened time between initial fill and the first renourishment cycle, the proposed action is comparable to the renourishment component described in the PBO (approximately 806,000 cubic yards of material every 3-7 years).

Any anticipated incidental take of piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), loggerhead sea turtle (*Caretta caretta*), green sea turtle (*Chelonia mydas*), leatherback sea turtle (*Dermochelys coriacea*), or seabeach amaranth (*Amaranthus pumilus*) for the subject project is covered by the PBO. Should project plans change or if additional information on the distribution of listed species or critical habitat becomes available, this determination may be reconsidered.

This document should be appended to the July 30, 2010 PBO and maintained as part of the decision document and administrative record.

If you have any questions, please contact me.

**Mike Drummond**

Endangered Species Biologist  
U.S. Fish and Wildlife Service  
Virginia Field Office  
6669 Short Lane  
Gloucester, VA 23061  
(804) 693 - 6694 x122  
(804) 654 - 1771 cell



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

MAR 21 2013

Carolyn Turner, Associate Chief  
National Aeronautics and Space Administration  
Goddard Space Flight Center  
Wallops Flight Facility  
Wallops Island, Virginia 23337-5099

Attn: 250.W

Dear Ms. Turner,

We have reviewed your March 7, 2013, letter regarding National Aeronautics and Space Administration's (NASA) proposed post-Hurricane Sandy beach renourishment at Wallops Flight Facility, Wallops Island, Virginia. Pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended, we consulted previously on NASA's Wallops Flight Facility Shoreline Restoration and Infrastructure Protection Program (SRIPP), resulting in NOAA's, National Marine Fisheries Service (NMFS) issuance of a biological opinion (BO) to NASA on August 3, 2012.<sup>1</sup> As the action proposed to be undertaken does not differ significantly from the actions we considered in the 2012 SRIPP BO, we concur with your determination that the proposed beach renourishment does not trigger the need to reinstate formal consultation pursuant to section 7 of the ESA, as amended. Our supporting analysis is provided below.

#### **Proposed Action and NMFS Consultation History**

The SRIPP is a 50 year plan of restoring and protecting NASA's Wallops Flight Facility's shoreline and infrastructure. Under the SRIPP, NASA proposes to extend an existing seawall, as well as restore, and maintain, the Wallops Flight Facility shoreline in order to move the zone of wave break away from launch pads, infrastructure, and testing and training facilities. Initial phases of the SRIPP include the extension of the seawall (landward of the shoreline), followed by dredging, via a hopper dredge, approximately 4.3 million cubic yards (cy) of sand from an offshore shoal (referred to as Unnamed Shoal A) and placing this material as beach nourishment along the Wallops Flight Facility Shoreline. Over the 50 year life of the SRIPP, NASA proposes to undertake subsequent beach renourishment operations approximately every 5 years. Per renourishment cycle, approximately 1,007,500 cy of sand will be removed, via a hopper dredge,

<sup>1</sup> NASA served as the lead Federal agency for the 2012 SRIPP BO; co-action agencies on the 2012 SRIPP BO included the U.S. Army Corps of Engineers (USACE) and the Bureau of Ocean Energy Management (BOEM). For the currently proposed beach renourishment, NASA will remain the lead Federal agency, with the USACE and BOEM serving as co-action agencies.



from Unnamed Shoal A and placed along the same area of the Wallops Flight Facility's shoreline.

Since 2007 we have consulted with NASA on the SRIPP, with NMFS issuing a BO to NASA on September 25, 2007 (Re: initial SRIPP proposal); July 22, 2010 (Re: modification to the SRIPP); and August 3, 2012 (Re: listing of Atlantic sturgeon). The August 3, 2012, BO concluded that the SRIPP is likely to adversely affect, but is not likely to jeopardize the continued existence of the Northwest Atlantic Ocean Distinct Population Segment (DPS) of loggerhead sea turtle; Kemp's ridley sea turtles; the Gulf of Maine (GOM) DPS of Atlantic sturgeon; New York Bight (NYB) DPS of Atlantic sturgeon; Chesapeake Bay (CB) DPS of Atlantic sturgeon; Carolina DPS of Atlantic sturgeon; or South Atlantic (SA) DPS of Atlantic sturgeon, and is not likely to adversely affect leatherback or green sea turtles or North Atlantic right, humpback or fin whales. The Opinion included an Incidental Take Statement (ITS) exempting the incidental taking of no more than 1 sea turtle for approximately every 1.6 million cy of material removed from the shoal area, which over the life of the project exempted the take of 9 total sea turtles, with no more than 1 being Kemp's ridleys and the remainder being loggerheads. In addition, the ITS exempted the incidental take of no more than 1 Atlantic sturgeon for approximately every 9.4 million cy of material removed from the borrow areas, which over the life of the project exempted the take of 2 subadult Atlantic sturgeon, with the potential that the two sturgeon taken may come from the NYB, CB, GOM, Carolina, or SA DPS.

Seawall construction and initial phases of beach nourishment were completed in August 2012. Since this time, multiple topographic and hydrographic surveys of the project site have been undertaken. The most recent monitoring effort, conducted in November 2012, following Hurricane Sandy, identified the need to renourish the Wallops Flight Facility beach sooner than the projected 5 years. As a result, NASA is requesting authorization to dredge, via hopper dredge, approximately 1,000,000 cy of material from Unnamed Shoal A for placement of this material as beach renourishment along the same area of the Wallops Flight Facility Shoreline. It is estimated that dredging and beach fill work will take between 1.5 to 3 months to complete; however, the timing of the work will be dependent on contractor availability and thus, at this time, it is unknown during what time of year the work will be undertaken. All other components of the SRIPP would remain as described and analyzed in the August 3, 2012 BO.

#### **NMFS listed species in Project Area**

The action area is defined as "all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action" (50 CFR § 402.02). The action area for this consultation includes the Wallops Island offshore unnamed shoal, the waters between and immediately adjacent to these areas where project vessels will travel and dredged material will be transported, as well as an area extending 4,000 feet in all directions from the area to be dredged to account for the sediment plume generated during dredging activities. The action area also includes the portion of Wallops Island shoreline and nearshore waters that will be affected by beach fill (i.e., approximately 2.3 miles of shoreline). As dredging operations will also produce underwater noise levels that range between 120-160 dB re 1 $\mu$ P<sub>ARMS</sub> the action area will also include the area around the dredge where effects of increased underwater noise levels will

be experienced. Based on the analysis of dredge noise and transmission loss calculations, effects of dredge noise will be experienced within 794 meters from the dredge during loading and pumping.

The following ESA listed species under NMFS jurisdiction may occur in the action area of the SRIPP<sup>2</sup>:

**Atlantic Sturgeon**

Gulf of Maine Distinct Population Segment (DPS) of Atlantic Sturgeon ( <i>Acipenser oxyrinchus oxyrinchus</i> )	Threatened
New York Bight DPS of Atlantic sturgeon	Endangered
Chesapeake Bay DPS of Atlantic sturgeon	Endangered
Carolina DPS of Atlantic sturgeon	Endangered
South Atlantic DPS of Atlantic sturgeon	Endangered

**Sea Turtles**

Northwest Atlantic Ocean DPS of loggerhead sea turtle ( <i>Caretta caretta</i> )	Threatened
Kemp's ridley sea turtle ( <i>Lepidochelys kempi</i> )	Endangered
Green sea turtle ( <i>Chelonia mydas</i> )	Endangered
Leatherback sea turtle ( <i>Dermochelys coriacea</i> )	Endangered

**Cetaceans**

North Atlantic Right Whales ( <i>Eubalaena glacialis</i> )	Endangered
Humpback whale ( <i>Megaptera novaeangliae</i> )	Endangered
Fin whale ( <i>Balaenoptera physalus</i> )	Endangered

**Section 7 Conclusions**

Reinitiation of consultation is required and shall be requested by the Federal agency or by NMFS, where discretionary Federal involvement or control over the action has been retained or is authorized by law and: (a) if the amount or extent of incidental take is exceeded; (b) a new species is listed or critical habitat designated that may be affected by the identified action; (c) the agency action is subsequently modified in a manner that causes an effect to the listed species or

<sup>2</sup> Please see [http://www.nero.noaa.gov/Protected/section7/bo/actbiops/2012\\_nasa\\_s\\_sripp\\_bo.pdf](http://www.nero.noaa.gov/Protected/section7/bo/actbiops/2012_nasa_s_sripp_bo.pdf) for detailed description of each species.

critical habitat that was not considered in the consultation; or (d) 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.

We have reviewed the information provided by you to determine if any of these triggers for reinitiation have been met. Throughout the initial phase of dredging and beach nourishment, there were no takes of any listed species. Since dredging was completed in August 2012, no additional dredge cycles have been undertaken and thus, to date, the amount of incidental take has not been exceeded. Additionally, no new species or critical habitat have been listed/designated. Also, while beach renourishment operations are occurring sooner than projected (i.e., sooner than 5 years), the renourishment operations themselves (e.g., type of dredge vessel, quantity of material removed, placement location) have remained the same as described in the August 2012, BO and therefore, this change will not affect listed species in a manner or to an extent not previously considered in the August 3, 2012, BO. Also, although you have provided new information on the underwater noise levels produced during dredging operations, this new information does not reveal effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered. In fact, the revised estimates of distances to the Marine Mammal Protection Act Harassment thresholds, as well as acoustic thresholds for sea turtles and Atlantic sturgeon, are comparable to those considered in the August 3, 2012 BO.

Based on this analysis of the re-initiation triggers, we have determined that the conclusions reached in our August 3, 2012, BO remain valid and thus, reinitiation of ESA section 7 formal consultation will not be necessary. Therefore, no further consultation pursuant to section 7 of the ESA is required. Should you have any questions about this correspondence please contact Danielle Palmer at (978) 282-8468 or by e-mail (Danielle.Palmer@noaa.gov).

Sincerely,



for John K. Bullard  
Regional Administrator

Ec: Bundick, NASA  
Dirk, BOEM  
Gibson, ACOE/Norfolk  
Palmer, NMFS/NER/PRD  
O'Brien, NMFS/HCD

File Code: NASA-2013 SRIPP No need to Reinitiate-Hurricane Sandy