



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office
263 13th Avenue S
St. Petersburg, Florida 33701-5505

December 4, 2008

Jean Cowan
Marine Habitat Resources Specialist
NOAA Restoration Center
LSU Sea Grant Building
Baton Rouge, LA 70803

Dear Ms. Cowan:

The NOAA's National Marine Fisheries Service (NMFS) Habitat Conservation Division (HCD) has reviewed the Draft Damage Assessment and Restoration Plan/Environmental Assessment for the GB Biosciences Corporation and the ISK Magnetics, Inc., Greens Bayou site, which was provided as an attachment to your letter dated October 14, 2008. This document contains an essential fish habitat (EFH) assessment that evaluates: (1) the impacts of historic hazardous substances released from the Greens Bayou site on benthic habitat; (2) the impacts to shallow water benthic habitat that will occur as a result of proposed remedial clean-up actions required to remove contaminated sediments from the bayou; and (3) the impacts of proposed wetland restoration activities to be undertaken at the Baytown Nature Center to provide compensation for natural resource injury and service losses at the Greens Bayou site.

We concur with the findings of the Natural Resource Damage Assessment Trustees that the proposed wetlands restoration project involving the creation of 10.9 acres of intertidal wetlands will have a positive net impact on EFH, and that the proposed restoration and remedial activities will result in adequate replacement of EFH resources lost and/or injured from both exposure to hazardous substances and from response activities associated with the removal of contaminated sediments from Greens Bayou. This satisfies the consultation procedures outlined in 50 CFR Section 600.920 of the regulation to implement the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act. Therefore, no further EFH consultation is required for this action.

Thank you for coordinating the proposed activities with us. If we may be of further assistance, please contact Ms. Heather Young of our Galveston Facility at (409) 766-3699.

Sincerely,

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

