



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

October 14, 2008

Heather Young  
Fishery Biologist  
Galveston Branch Office  
National Marine Fisheries Service  
4700 Avenue U  
Galveston, Texas  
77551-5997

Reference: Greens Bayou site - Hazardous Substance Release Compensatory Restoration -  
EFH Coordination

Dear Ms. Young:

The National Oceanic and Atmospheric Administration (NOAA), the United States Fish and Wildlife Service on behalf of the U.S. Department of the Interior (USFWS), the Texas Parks and Wildlife Department (TPWD) and the Texas Commission on Environmental Quality (TCEQ), (collectively, 'the Trustees') have determined that natural resources, or natural resource services, were lost due to the release of hazardous substances from the Greens Bayou site (the 'Site') in Harris County, Texas. In order to compensate the public for these lost natural resources or natural resource services, the Trustees are proposing the creation of approximately 10.89 acres of intertidal wetlands and the preservation of 100.0 acres of forested wetland in the upper Galveston Bay, Buffalo Bayou or San Jacinto River watersheds.

There are two proposed actions – marsh creation and forested wetland preservation. The former entails the construction of areas suitable for the establishment of 10.89 acres of marsh within the Baytown Nature Center. This action will increase habitat function at the marsh creation site, and will generally provide improved nursery, foraging, and cover habitat for numerous species of fish that utilize fringe marsh, as well as other species that inhabit or utilize interior estuarine marsh and surrounding areas. The proposed actions will benefit the surrounding marshes by restoring landscape continuity and improving landscape-scale hydrology. The increased marsh habitat resulting from this action will also provide improved (from current conditions) and additional areas for birds and other wildlife species to nest, forage, and seek protection.

The second action entails the acquisition of 100 acres of forested wetlands adjacent to Spring Creek and the obtainment of a conservation easement. This action will ensure that forested wetland habitat that is currently in jeopardy of being mined for sand and gravel is preserved in perpetuity, and will remove threats of forested wetland destruction by development; allowing for continued habitat function at the forested wetland preservation site. As a result, areas currently being used by fish and wildlife for foraging, nesting, and protection will remain in place. Additionally, the parcel to be obtained will be preserved within a greenway; thereby, allowing for the migration of wildlife across a broader section of the landscape.



The proposed intertidal wetland restoration project will be constructed by contractors of the PRPs with close coordination and oversight by the Trustees.

A complete description of the Greens Bayou restoration projects is in the attached Damage Assessment and Restoration Plan/Environmental Assessment (draft DARP/EA). In addition to the draft DARP/EA, which describes the project, you will also find the Trustees' Essential Fish Habitat (EFH) description and determination of likely effects for the proposed wetland creation and preservation projects in Section 8.3. We believe these documents provide sufficient information to determine that the restoration projects pose no net adverse impacts to EFH.

If the Office of Habitat Conservation disagrees with this determination and recommends additional conservation measures, please inform me of this decision within 10 days of your receipt of this letter. Please do not hesitate to contact me if you need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jean Cowan".

Jean Cowan  
Marine Habitat Resources Specialist  
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LSU Sea Grant Building  
Baton Rouge, Louisiana  
70803

Attachments – Draft DARP/EA

Cc: Lisa DiPinto, NOAA, NOS/ARD  
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