From: Teletha Mincey - NOAA Federal
To: Stokes, Janelle S SWF @SWG
Cc: Kelly Shotts - NOAA Federal; Rachel Sweeney - NOAA Federal
Subject: [EXTERNAL] Sabine Pass to Galveston Bay, Texas, Biological Assessment Coordination
Date: Wednesday, September 09, 2015 8:44:44 AM

Pursuant to section 7(a)(2) of the Endangered Species Act (ESA), the Protected Resources Division (PRD) of NOAA's National Marine Fisheries Service (NMFS) has reviewed your letter dated August 26, 2015, concerning the above-mentioned subject.

USACE concludes that the proposed action will have "no-effect" on listed species or critical habitat designated under the ESA under NMFS's purview. Given this, that concludes ESA Section 7 consultation responsibilities. USACE does not need to seek NMFS's comments or concurrence on their "no-effect" determination(s). It is our policy not to respond to "no effect" determinations.

Thank you.

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