

The Magnuson-Stevens Fisheries Conservation and Management Act Amendment (MSFCMA), as amended, provides for the conservation and management of the Nation's fishery resources through the preparation and implementation of Fishery Management Plans (FMPs). The MSFCMA calls for the NMFS to work with regional Fishery Management Councils to develop FMPs for each fishery under their jurisdiction (16 USC 1801 et seq.).

One of the provisions of FMP specifies that Essential Fish Habitat (EFH) be identified and described for the fishery, adverse fishing impacts on EFH be minimized to the extent practicable, and other actions to conserve and enhance EFH be identified. The MSFCMA also mandates that the National Marine Fisheries Service (NMFS) coordinate with, and provide information to, Federal agencies to further the conservation and enhancement of EFH. Federal agencies must consult with NMFS on any action that may adversely affect EFH. When NMFS finds that a Federal or State action would adversely affect EFH, it is required to provide conservation recommendations.

The proposed action, the Raymondville Drain Project, consists of expanding the existing Raymondville Drain, in length and width, and constructing new drainage system elements (i.e., detention basin, alternative conveyance channels, etc.) to provide flood mitigation benefits within low-lying areas of Hidalgo and Willacy Counties, Texas.

No EFH, as identified by the Gulf of Mexico Fishery Management Council, is present within the study corridor for the proposed action. EFH was identified in the Laguna Madre, approximately 2.1 miles downstream of the proposed action's eastern project terminus, using the National Oceanic and Atmospheric Administration's online EFH Mapper. EFH was identified in the Laguna Madre for four species: Shrimp, Red Drum, Reef Fish, and Mackerels.

Seagrass surveys were conducted on April 19 and 20, 2023. During the seagrass surveys, data was collected from a total of 84 sample points. A total of 3 species of seagrass were observed in the study area: Shoal grass (*Halodule wrightii*), Star grass (*Halophila engelmannii*), and Turtle grass (*Thalassia testudinum*). Water quality was measured in the field and in a laboratory using water column samples collected during the seagrass surveys; variables measured to determine water quality included pH, salinity, temperature, dissolved oxygen, total suspended solids, ammonia nitrogen, nitrate and nitrite nitrogen, orthophosphorus, and chlorophyll α . Water quality variables were generally within ranges that are tolerable for the seagrass species observed in the seagrass study area.

The US Army Corps of Engineers, Galveston District, recently coordinated with the NMFS for their concurrence with our no adverse impact determination for Essential Fish Habitat within the area surrounding the proposed action. The local offices of the US Fish and Wildlife Service and NMFS have provided their review and comments during this process. Project coordination was conducted with the NMFS on May 11, 2023. The NMFS reviewed the proposed action and concluded that adverse impacts to EFH are unlikely to occur; a detailed EFH Assessment is not required for the proposed action. By this letter and its information therein, we request concurrence with the determination that no adverse impacts would occur to any EFH as a result of the proposed action.

If you have any questions or require additional information, please contact:

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