

US EPA ARCHIVE DOCUMENT



In Reply Refer To:

# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Coastal Ecological Services Field Office  
TAMU-CC, Unit 5837, 6300 Ocean Drive  
Corpus Christi, Texas 78412  
361/994-9005/ (Fax) 361/994-8262



May 7, 2014

Jeff Robinson  
Air Permits Section, Chief  
Environmental Protection Agency  
1445 Ross Ave. Suite 1200  
Dallas, Texas 75202-2733

Consultation No. 02ETCC00-2014-I-0140

Dear Mr. Robinson:

Thank you for your April, 03, 2014, letter and associated Biological Assessment requesting U.S. Fish and Wildlife Service (Service) review and provide information on the proposed Voestalpine Stahl GmbH direct reduced iron/ hot briquette iron production facility, San Patricio County, Texas. Your letter indicates you have made the following determinations regarding federally protected species:

## No Effect

- Red wolf (*Canis rufus*)
- Eskimo curlew (*Numenius borealis*)
- Gulf coast jaguarondi (*Herpailurus yagouaroundi cacomilli*)
- Ocelot (*Leopardus pardalis*)
- Northern Aplomado Falcon (*Falco femoralis septentrionalis*)
- Slender rush-pea (*Hoffmannseggia tenella*)
- South Texas ambrosia (*Ambrosia cheiranthifolia*)
- Green sea turtle (*Chelonia mydas*)
- Hawksbill sea turtle (*Eretmochelys imbricata*)
- Kemp's ridley sea turtle (*Lepidochelys kempii*)
- Leatherback sea turtle (*Dermochelys coriacea*)
- Loggerhead sea turtle (*Caretta caretta*)

## May Affect, Not Likely To Adversely Affect

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- Piping plover (*Charadrius melodus*)
- Whooping crane (*Grus Americana*)
- West Indian manatee (*Trichechus manatus*)
- Red knot (*Calidris canutus rufa*)
- Yellow-billed Cuckoo (*Coccyzus americanus*)

The Service does not provide concurrences with no effect determinations. Based on the information provided in the Biological Assessment we agree that the likelihood of an impact occurring to piping plover, whooping crane, West Indian manatee, red knot, and yellow-billed cuckoo is insignificant and discountable, therefore the Service concurs with the may affect, but not likely to adversely affect determination.

We believe your agency has complied with section 7(a)(2) of the Endangered Species Act by making a determination. No further action is required from this office. If the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Thank you for working to conserve endangered and threatened species and other resources. We appreciate the opportunity to continue working on the proposed project proposals. Please contact Frank Weaver at 361/994-9005, extension 224, if we can be of assistance or if you have any questions. Please refer to the Service Consultation number listed above in any future correspondence regarding this project.

Sincerely,

  
for Edith Erfling  
Field Supervisor