



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington Ecological Services
1009 College St. SE, Suite 215
Lacey, Washington 98503



In Reply Refer to:
FWS/R1/2026-0020758

MEMORANDUM

To: Natural Resources Manager, Shoalwater Bay Indian Tribe
Tokeland, Washington

From: For State Supervisor, Washington Fish and Wildlife Office
Lacey, Washington

**ELIZABETH
GRATTON**

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ELIZABETH GRATTON
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Subject: Eagle Hill and RAISE Loop Projects

This letter is in response to your May 7, 2026, request for our concurrence with your determination that the proposed construction of new roadways within the Shoalwater Bay Indian Reservation in Tokeland, Pacific County, Washington, “may affect, but is not likely to adversely affect” federally listed species. We received your letter, Biological Assessment (BA), and other supplemental materials providing information in support of “may affect, not likely to adversely affect” determinations, on May 7, 2026.

Specifically, you requested informal consultation and our concurrence pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (ESA) for the following federally listed species and critical habitat: marbled murrelet (*Brachyramphus marmoratus*), western snowy plover (*Charadrius nivosus nivosus*), and western snowy plover designated critical habitat.

We were able to expedite our review and evaluation since you provided the required information and analysis of the proposed action and its potential effects on listed species and designated critical habitats in the BA, consultation initiation package, and correspondence with our staff. Where relevant, we adopted the information and analyses you provided. The BA is included as an enclosure to this letter, and we indicate where we have incorporated this information by reference in the sections below.

Based on the information you provided, best available science, and complete and successful implementation of the conservation measures included in the BA, we concur with your determination that the effects of the proposed action “may affect, but is not likely to adversely affect” marbled murrelet, western snowy plover, and western snowy plover designated critical habitat.

PACIFIC REGION 1

DESCRIPTION OF THE PROPOSED ACTION AND EFFECTS OF THE ACTION

The Shoalwater Bay Indian Tribe proposes to construct approximately 3.66 miles of new roadway to support future housing developments. Proposed work will occur on and adjacent to Eagle Hill Road, North Cove Beach Access Road, and RAISE Loop Road, forming a loop with State Route 105. Additional components of the road construction include sidewalks, underground utilities, light poles, and a culvert replacement. Construction is anticipated to begin in spring 2027 and to be completed over the course of two years.

The full description of the proposed action, including conservation measures and action area, are hereby incorporated by reference from the BA (pp. 1-3 to 1-11). The effects of the action are described in the BA and are incorporated by reference as indicated below. We have provided additional original analysis or clarification of effects when needed.

Marbled Murrelet

The effects analysis on pages 4-1 to 5-1 of the BA is incorporated by reference.

Western Snowy Plover

The effects analysis on pages 4-1 to 4-8, 5-2, of the BA is incorporated by reference. We further clarify that the proposed action will occur on the opposite side of the State Route 105 from western snowy plover nesting habitat, and nesting western snowy plovers within 0.25 miles of the proposed action are likely already habituated to elevated noise levels and visual disturbance from human activity. Future increases in disturbance of humans and human-attracted predators to nesting western snowy plovers as a result of the new road construction is anticipated; however, the proposed action's inclusion of trash handling conservation measures, along with the separation of the new road construction from the beach by the existing State Route 105 and the existing human land uses in the vicinity (e.g., recreational beach use, private residences, and the Shoalwater Bay Casino), contributes to an insignificant impact of the proposed action on western snowy plovers.

Western Snowy Plover Designated Critical Habitat

The effects analysis on pages 4-1 to 4-8, 5-2, of the BA is incorporated by reference.

CONCLUSION

This concludes consultation pursuant to the regulations implementing the ESA. This action should be re-analyzed and re-initiation may be necessary if 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation, 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or 3) a new species is listed or critical habitat is designated that may be affected by this action.

This letter and its enclosure constitute a complete response by the Service to your request for informal consultation and concurrence. A complete record of this consultation is on file at the Washington Fish and Wildlife Office, in Lacey, Washington. This letter and its enclosure constitute a complete response by the Service to your request for informal consultation. A

complete record of this consultation is on file at the Washington Fish and Wildlife Office, in Lacey, Washington. If you have any questions about this letter or our shared responsibilities under the ESA, please contact Emma Walz (emma_walz@fws.gov) and copy the Washington Ecological Services Inbox (washingtonfwo@fws.gov).

Enclosure:

Biological Assessment for Eagle Hill and RAISE Loop Projects

cc:

Shoalwater Bay Indian Tribe, Tokeland, WA (A. McCloskey)

Shoalwater Bay Indian Tribe, Tokeland, WA (R. Thomas)