



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

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Lafayette, Louisiana 70506

February 22, 2008

Colonel Alvin B. Lee  
District Engineer  
U.S. Army Corps of Engineers  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

Dear Colonel Lee

Please reference your Individual Environmental Report (IER) Lake Pontchartrain and Vicinity (LPV) Jefferson East Bank, Jefferson, Louisiana (IER3). That study was conducted in response to Public Law 109-234, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Supplemental 4). That law authorized the Corps of Engineers (Corps) to upgrade some existing hurricane protection projects to provide protection against a 100-year hurricane event. The Corps has recently defined the IER 3 proposed plan and the U.S. Fish and Wildlife Service (Service) provided recommendations on that plan to the Corps in our January 11, 2008, Fish and Wildlife Coordination Act Report (FWCAR) and our January 17, 2008 Supplemental FWCAR. In addition the Service provided an August 7, 2006, letter addressing threatened and endangered species for the coastal parishes of the New Orleans District. This letter is submitted in accordance with provisions of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The IER3 project area extends along the existing Jefferson east bank levee system on the north side of Jefferson Parish where it meets Lake Pontchartrain. There are 9.5 miles of existing earthen levee, foreshore protection, two floodgates, and four pump stations proposed for this project. To construct the proposed hurricane protection improvements the Corps proposes to dig four, 10-foot deep and up to 1.5 miles long, access channels in Lake Pontchartrain perpendicular to each of the four pump station sites.

The Federally listed the West Indian manatee (*Trichechus manatus*) and the Gulf sturgeon (*Acipenser oxyrinchus desotoi*) may occur within the project area.

Federally listed as endangered, West Indian manatees occasionally enter Lakes Pontchartrain and Maurepas, and associated coastal waters and streams during the summer months (i.e., June through September). Manatees have been regularly reported in the Amite, Blind, Tchefuncte, and Tickfaw Rivers, and in canals within the adjacent coastal marshes of Louisiana. They have also been occasionally observed elsewhere along the Louisiana Gulf coast. The manatee has declined in numbers due to collisions with boats and barges, entrapment in flood control structures, poaching, habitat loss, and pollution. Cold weather and outbreaks of red tide may also adversely affect these animals.

We recommend the following conditions to avoid impacts to manatee during project implementation. All contract personnel associated with the project shall be informed of the potential presence of manatees and the need to avoid collisions with manatees, which are protected under the Marine

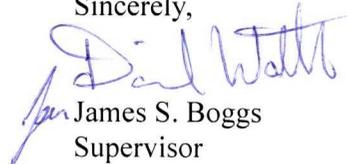
Mammal Protection Act of 1972 and the Endangered Species Act of 1973. All construction personnel are responsible for observing water-related activities for the presence of manatee(s). Temporary signs should be posted prior to and during all construction/dredging activities to remind personnel to be observant for manatees during active construction/dredging operations or within vessel movement zones (i.e., work area), and at least one sign should be placed where it is visible to the vessel operator. Siltation barriers, if used, should be made of material in which manatees could not become entangled, and should be properly secured and monitored. If a manatee is sighted within 100 yards of the active work zone, special operating conditions should be implemented, including: no operation of moving equipment within 50 feet of a manatee; all vessels shall operate at no wake/idle speeds within 100 yards of the work area; and siltation barriers, if used, should be re-secured and monitored. Once the manatee has left the 100-yard buffer zone around the work area on its own accord, special operating conditions are no longer necessary, but careful observations would be resumed. Any manatee sighting should be immediately reported to the U.S. Fish and Wildlife Service (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821).

The Gulf sturgeon, Federally listed as a threatened species, is an anadromous fish that occurs in many rivers, streams, and estuarine waters along the northern Gulf coast between the Mississippi River and the Suwannee River, Florida. In Louisiana, Gulf sturgeon have been reported at Rigolets Pass, rivers and lakes of the Lake Pontchartrain basin, and adjacent estuarine areas. Habitat alterations such as those caused by water control structures that limit and prevent spawning, poor water quality, and over-fishing have negatively affected this species.

On March 19, 2003, the Service and the National Marine Fisheries Service (NMFS) published a final rule in the Federal Register (Volume 68, No. 53) designating critical habitat for the Gulf sturgeon in Louisiana, Mississippi, Alabama, and Florida. IER 3 lies adjacent to but just west of the Lake Pontchartrain Causeway, which is the eastern most boundary of designated critical habitat, and therefore not within critical habitat. If construction activities are planned to extend east of that causeway the Corps should contact NOAA Fisheries, which is responsible for aquatic marine threatened or endangered species including the Gulf sturgeon. Therefore, Dr. Stephania Bolden (727/824-5312) in St. Petersburg, Florida with that agency should be contacted regarding any potential impacts to Gulf sturgeon and its critical habitat.

We appreciate the opportunity to provide comments in the planning stages of the proposed project. If you or your staff have further questions, or would like to meet and discuss our recommendations, please contact Catherine Breaux of this office at (504) 862-2689.

Sincerely,



for James S. Boggs  
Supervisor  
Louisiana Field Office

cc: EPA, Dallas, TX  
NMFS, Baton Rouge, LA  
LA Dept. of Wildlife and Fisheries, Natural Heritage Program, Baton Rouge, LA  
LA Dept. of Natural Resources (CMD/CRD), Baton Rouge, LA