



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701

May 12, 2009

F/SER46/RH:jk  
225/389-0508

Mr. Gib Owen  
Environmental Planning and Compliance Branch  
Planning, Programs, and Management Division  
New Orleans District, U.S. Army Corps of Engineers  
Post Office Box 60267  
New Orleans, Louisiana 70160-0267

Dear Mr. Owen:

NOAA's National Marine Fisheries Service (NMFS) has received the draft **Individual Environmental Report (IER) #6** transmitted by a letter from Ms. Joan M. Exnicios dated April 24, 2009. The draft IER evaluates and quantifies the impacts associated with providing 100-year level of hurricane protection along the Lake Pontchartrain shoreline between the Inner Harbor Navigation Canal and Paris Road in Orleans Parish, Louisiana.

Based on our review of the draft IER, project implementation through the construction of four access channels would result in at least temporary dredge and fill impacts to more than 60 acres of Lake Pontchartrain water bottoms, portions of which are vegetated with submerged aquatic vegetation (SAV). In addition, up to seven acres of shallow subaqueous water bottoms and sand flats, portions of which are vegetated with smooth cordgrass, would be destroyed by the placement of rock to expand an existing foreshore dike. To mitigate for adverse impacts to SAV, the New Orleans District (NOD) would survey the coverage of SAV in this portion of Lake Pontchartrain pre- and post-construction, and has agreed to planting appropriate species if such surveys reveal those habitats do not recover naturally. In addition, to ensure water bottoms are restored to pre-existing elevations, the NOD has agreed to undertake bathymetric surveys and to completely backfill all four access channels in Lake Pontchartrain.

While we do not object to project implementation, NMFS has the following comments to provide pertaining to technical inaccuracies in the report:

Page 46, paragraph 4. The heading for this paragraph is "LPV 106, Future Conditions with the Proposed Action". This paragraph states that water quality impacts for the LPV 106 proposed action would be similar to that for LPV 105. Since LPV 106 includes dredging and filling more than 60 acres of Lake Pontchartrain water bottoms, and LPV 105 includes no dredging, NMFS questions the validity of this statement. NMFS recommends this paragraph be revised to accurately summarize the likely impacts of LPV 106 construction activities on water quality.

Page 48, paragraph 1. This paragraph summarizes monitoring and related actions to restore SAV habitats impacted by the dredging of the access channels. However, it does not describe



recommended mitigation to offset the impact of project implementation on the fringe marsh present in locations along the existing foreshore dike. NMFS recommends IER 6 be revised to describe how impacts to wetlands adversely impacted by project implementation would be mitigated. Mitigation options NMFS recommends includes the planting of emergent unvegetated portions of the project area, as the University of New Orleans did to create those wetlands, or through the implementation of a separate mitigation project to be described in a future compensatory mitigation IER.

Page 57, Table 3. This table lists pink shrimp and Spanish mackerel as having designated essential fish habitat (EFH) in the project area. We believe it is unlikely for any life stage of pink shrimp or Spanish mackerel to be common in Lake Pontchartrain and recommend they be deleted from this table.

Pages 57-59. Discussion of Impacts. While IER 6 indicates that there would likely be temporary impacts to SAV and that 6.9 acres of water bottoms and marsh could be replaced with rip-rap, there is no indication in this section that those impacts would be mitigated through a proposed SAV monitoring and replanting effort or a separate mitigation project. NMFS recommends IER 6 be revised to include a summary of the monitoring and mitigation plan to compensate for adverse SAV impacts and to explain how fringing marsh impacts would be offset.

Page 107, Table 16. This table shows that 0 acres of EFH mitigation would be necessary to offset the construction impacts of IER 6. While NMFS believes the SAV mitigation plan described in the document is adequate to address impacts to that habitat, there is no discussion describing how impacts to fringe marsh that could be caused by the widening of the foreshore dike would be offset. NMFS recommends this table be revised to estimate the acres of intertidal marsh that could be destroyed by the widening of the foreshore dike and that the appropriate sections of the document be expanded to discuss mitigation necessary to offset impacts to fringe marsh.

We appreciate the opportunity to review and comment on the draft IER.

Sincerely,



*for* Myles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

c:  
FWS, Lafayette  
EPA, Dallas  
LA DNR, Consistency  
F/SER46, Swafford  
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