



**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 20, 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) #7** transmitted by letter from Ms. Joan M. Exnicios dated May 6, 2009. The draft IER evaluates and quantifies the impacts associated with providing 100-year level of hurricane protection by elevating levees and floodwalls in an area extending from Paris Road, around the Bayou Sauvage National Wildlife Refuge, to Michoud Canal 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 118 acres of Lake Pontchartrain water bottoms. In addition, levee construction would destroy 247 acres of wetlands on the protected side and 105 acres of wetlands on the flood side of the existing levee. While some sections of the report state that project impacts to wetlands would be offset through the implementation of a mitigation project to be described in a separate IER, the sections of the document quantifying project impacts to wetlands, marine fishery resources and essential fish habitat do not include such statements. NMFS recommends at a minimum that the Wetlands, Fishery Resources, and Essential Fish Habitat sections of the document be revised to include a statement indicating that all impacts to these resources would be offset through the development and implementation of a mitigation project that would be developed, in consultation with the natural resource agencies; described in a separate IER; and implemented using monies set aside from each project.

In addition to the above, NMFS has the following recommended revisions to the report:

Page 42, paragraph 5; page 52, paragraph 5. These paragraphs differ in that the first indicates the LPV 109 footprint would impact 236.3 acres of wetlands on the protected side and 101 acres on the flood side, while the second paragraph superimposes those same numbers for the same habitats. The IER should be revised to correctly and consistently identify the correct impact acreage for each habitat type.



Page 62, Table 3. This table lists pink shrimp as having designated essential fish habitat in the project area. We believe it is unlikely for any life stage of pink shrimp to be common in the project area and recommend they be deleted from this table.

Page 125, Table 15. This table quantifies, by habitat type, the number of acres and Average Annual Habitat Units for each IER in the Hurricane and Storm Damage Risk Reduction System. However, it does not include IER 7. Since those impacts are known and listed in other sections of this document, NMFS recommends the table be revised to include IER 7.

Page 141 to 142. The section titled "Mitigation" gives a thorough description of the Wetland Value Assessment methodology used by the U.S. Fish and Wildlife Service to quantify project related impacts to various habitat types. However, it does not specifically state that project impacts would be offset through the development and implementation of a mitigation project that would be described in a separate IER. The IER should be revised to provide this clarification and to state that the natural resource agencies would assist in the development of a mitigation project that would, to the maximum extent practicable, provide the same number of habitat units in the same habitat types as that impacted by the project.

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

Sincerely,



MC Miles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

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