UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
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225-380-0081

Ms. Karen Soileau, Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Louisiana Ecological Services
200 Dulles Drive
Lafayette, Louisiana 70506

Dear Ms. Soileau:

NOAA's National Marine Fisheries Service (NMFS) has received the draft Fish and Wildlife Coordination Act Report (CAR) on the U.S. Army Corps of Engineers' (USACE) St. Tammany Parish, Louisiana Feasibility Study dated May 15, 2023. The study objectives evaluated the feasibility of providing protection from storm surge and flooding due to heavy rainfall events for the communities located within St. Tammany Parish. The NMFS has reviewed the CAR and finds it to be well written and generally concurs with its recommendations. Specifically, NMFS agrees with the 22 recommendations in the CAR related to direct and indirect impacts, recommendations for in-kind compensation, and recommendations requesting USACE provide extensive additional project information.

The wetlands in the vicinity of the project consist of estuarine emergent fresh and intermediate marsh. Water bottoms in the project area are composed of a mixture of sand and mud substrates. The proposed project is in an area designated as essential fish habitat (EFH) for various life stages of federally managed species, including red drum, brown shrimp, and white shrimp. The primary categories of EFH, affected by project implementation, are estuarine emergent wetlands, estuarine water column, and estuarine water bottoms. Detailed information on federally managed fisheries and their EFH is provided in the 2005 generic amendment of the Fishery Management Plans for the Gulf of Mexico prepared by the Gulf of Mexico Fishery Management Council. The generic amendment was prepared as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; P.L. 104-297).

In addition to being designated as EFH for various federally managed fishery species, wetlands, and water bottoms in the project area provide nursery and foraging habitats for a variety of economically important marine fishery species such as blue crab, gulf menhaden, Atlantic croaker, southern flounder, bay anchovy, and striped mullet. Some of these species serve as prey for other fish species managed by the Gulf of Mexico Fishery Management Council (e.g., mackerels, snappers, and groupers) and highly migratory species managed by NMFS (e.g., billfishes and sharks). Wetlands in the project area also produce nutrients and detritus, important components of the aquatic food web, which contributes to the overall productivity of the Lake Pontchartrain Basin.

The draft CAR provides an analysis of fish and wildlife resource impacts associated with the final array of alternatives. The USACE Tentatively Selected Plan (TSP) proposes to construct and operate approximately 18.5 miles (97,700 feet) of hurricane and storm damage risk reduction levee and floodwall sections in west and south Slidell. The levee and floodwall are a combination of 15 miles (79,100 feet) of levees and 3.5 miles (18,200 feet) of floodwall. The levee alignment would impact 521 acres of permanent right-of-way (ROW) and it would require approximately 7,079,000 cubic yards of fill, including fill material required for future levee lifts (estimates include a 30 percent contingency). The hurricane and storm damage risk reduction implementation would include eight pump stations, three lift gates, one sector gate, nine sluice gates, eighteen vehicular gates, one pedestrian gate, one railroad gate along the Norfolk Southern Railroad, and six ramps. The USACE also proposes Mile Branch channel improvements in Covington, as well as nonstructural home elevations and flood proofing for approximately 6,684 structures in the study area.

Dominant habitat types in the project area include fresh and intermediate marsh, degraded pine savannah, and riparian habitats. The CAR stated direct impacts by habitat type and levee alternative for the TSP are 146.5 acres of pine savannah, 39.9 acres of fresh/intermediate marsh, 34.9 acres of riparian habitat. The indirect impacts are anticipated to be 3.3 acres of pine savannah.

To ensure the conservation of EFH and associated marine fishery resources, NMFS requests expanding the CAR recommendations to include:

1. As required by the Magnuson-Stevens Act, a revised complete EFH assessment should be provided to NMFS to conclude EFH consultation with USACE. The revised assessment should clarify, delineate, and quantify direct and indirect impacts to EFH by habitat type differentiating between the flood side and the protected side of all structures. All activities associated with this project including a description of measures to avoid, minimize, mitigate, or offset the adverse impacts of the proposed activities on EFH should be incorporated.

2. Sufficient information should be provided to assess impacts to fisheries access and water exchanges in the Lake Pontchartrain Basin from construction of levees and water control structures. All structures (e.g., roller floodgate and culverts with sluice gates) should remain open under normal conditions. An operational plan for these structures should be provided that includes triggers for gate closures (e.g., named storm events in the Gulf of Mexico, fixed water level elevations, crest setting, estimated frequency of closures, etc.,). The USACE should also provide a reference to the specific flood protection authorization and hydrological modeling results for all structures justifying: (1) how particular locations were selected for each structure, (2) why each structure is needed, and (3) how the size and type of each structure was determined.

3. The USACE should develop, in coordination with NMFS, a mitigation and monitoring plan which fully compensates for all direct and indirect EFH impacts. To avoid additional mitigation for temporal impacts, the NMFS recommends implementation of the mitigation plan concurrent with the construction of the development. The quantity of EFH to be impacted should be clarified to inform determination of mitigation.

Specifically, a functional assessment should be used to evaluate the compensatory mitigation requirements for unavoidable impacts to wetlands and water bottoms. Water column and estuarine mud/sand bottoms EFH impacts should also be included among the habitat types requiring mitigation. The USACE should: (1) refine the final assessment of EFH impacts by habitat type, (2) provide the information required to conduct a final Wetland Value Assessment (WVA), (3) provide the types of mitigation required, and (4) provide the final mitigation plans. Estimates of all direct and indirect project related impacts to tidally influenced habitat should be refined for inclusion in the project's final CAR.

The NMFS involvement is recommended during the preconstruction engineering and design phase of this project. The USACE should provide the specific information requested in the CAR to assess the potential impacts to EFH from proposed project features. For additional information on the requirements for a complete EFH assessment the USACE should refer to previous correspondence where NMFS conveyed our concerns in a letter dated July 22, 2021 regarding the draft Environmental Impact Statement. The NMFS looks forward to coordination with USFWS for evaluation of the project's impacts. We appreciate your consideration of our comments. If you wish to discuss this project further or have questions concerning our recommendations, please contact Alexis Rixner at (225) 380-0081, or by email at Alexis.Rixner@noaa.gov.

Sincerely,

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

c:
USACE, New Orleans, Dixon
USFWS, Lafayette, Soileau
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