Mississippi Valley Division,
Regional Planning and Environment Division South

Amite River and Tributaries East of the Mississippi River, Louisiana Feasibility Study (ART)

Appendix D-1: Agency Coordination

March 2025

ENVIRONMENTAL APPENDIX

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FINAL USFWS COORDINATION ACT REPORT

United States Department of the Interior

FISH AND WILDLIFE SERVICE
200 Dulles Drive
Lafayette, Louisiana 70506

January 23, 2024

Mr. Eric Williams
Chief, Environmental Planning Branch
U.S. Army Corps of Engineers, New Orleans District
Regional Planning and Environment Division South
ATTN: CEMVN-PDS-R, Jordon Logarbo
7400 Leake Avenue
New Orleans, Louisiana 70118

Dear Mr. Williams:

The U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN), Regional Planning and Environment Division South (RPEDS) has prepared a supplemental second draft integrated feasibility report with environmental assessment (SSDIFR/EA) EA #600 for the Amite River and Tributaries East of the Mississippi River, Louisiana, Feasibility Report. The Fish and Wildlife Service's Louisiana Ecological Services Office (Service) received and reviewed the SSDIFR/EA and are providing comments as required under the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The SSDIFR/EA evaluates impacts associated with nonstructural alternatives including the Tentatively Selected Plan (TSP). The TSP would include elevating approximately 3,298 residential structures and floodproofing for eligible nonresidential structures within the Amite River Basin in East Feliciana, St. Helena, East Baton Rouge, Livingston, Iberville, and Ascension Parishes, Louisiana. Impacts to important relevant resources were assessed, including impacts to fish and wildlife resources as well as threatened and endangered species. The SSDIFR/EA states, and the Service agrees, that the proposed action would have no direct, indirect, or cumulative significant impacts to the relevant resources and that all reasonable means of avoiding and minimizing adverse environmental effects have been adopted.

The Service has no comments or objections to the proposed project. We appreciate the opportunity to review and provide comments on EA #600 and Finding of No Significant Impact. If you have any questions regarding our comments, please contact Cathy Breaux [redacted] of this office.

Sincerely

BRIGETTE FIRMIN Digitally signed by BRIGETTE FIRMIN Date: 2024.01.23 07:07:02 -06'00'

Brigette D. Firmin
Field Supervisor
Louisiana Ecological Services Office

DRAFT USFWS COORDINATION ACT REPORT

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Louisiana Ecological Services 200 Dulles
Drive Lafayette, Louisiana 70506

November 15, 2023

Colonel Cullen Jones
District Commander
U.S. Army Corps of Engineers
New Orleans District
7400 Leake Avenue
New Orleans, LA 70118-3651

Dear Colonel Jones:

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South (RPEDS), is preparing a Draft Integrated Feasibility Report (DIFR) and Environmental Assessment (EA) for the Amite River and Tributaries East of the Mississippi River, Louisiana (ART). This study is investigating alternatives to reduce flood risk along the Amite River Basin, which covers portions of Amite, Lincoln, Franklin, and Wilkinson Counties in Mississippi as well as East Feliciana, St. Helena, East Baton Rouge, Livingston, Iberville, St. James, St. John the Baptist, and Ascension Parishes in Louisiana.

The Fish and Wildlife Service (Service) prepared a previous Draft Fish and Wildlife Coordination Act Reports for the ART Feasibility Study Environmental Impact Statement in October 2019 and two supplemental Planning Aid Letter (PAL) in December 2019 and April 2020.

This draft report contains an analysis of the impacts on fish and wildlife resources that would result from project implementation and provides recommendations to minimize those impacts. This draft report has been prepared by the Fish and Wildlife Service (Service) under the authority of the Fish and Wildlife Coordination Act (48 Stat.

401, as amended; 16 U.S.C. 661 et seq.) and does not constitute the report of the Secretary of the Interior as required by section 2b of that act. The Service also provides comments within this report under the following authorities: the National Environmental Policy Act of 1969, as amended, the Endangered Species Act of 1973 (ESA, 87 Stat. 884, as amended; 16 U.S.C. 661 et seq.), the Migratory Bird Treaty Act (MBTA, 40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and the Bald and Golden Eagle Protection Act (BGEPA, 54 Stat. 250, as amended, 16 U.S.C. 668a-d). A copy of this report will be provided to the Louisiana Department of Wildlife and Fisheries (LDWF) for review, and their comments will be included in our final report.

The proposed action is authorized as part of the Bipartisan Budget Act of 2018, H. R. 1892—13, Title IV, Corps of Engineers - Civil, Department of the Army, Investigations, where funds are being made available for the expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection studies which are currently authorized or which are authorized after the date of enactment of this act, to reduce risk from future floods and hurricanes. The funds are at full federal expense and are available for high-priority studies of
projects in States and insular areas with more than one flood related major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in calendar years 2014, 2015, 2016, or 2017.

This study area is being included based on the August 2016 flooding over southeast and south-central Louisiana, and is continuing investigation under the authorization provided by the Resolution of the Committee on Public Works of the United States Senate, adopted on April 14, 1967.

STUDY AREA

The study area is the Amite River Basin and tributaries (Figure 1). The Amite River Basin begins in southwest Mississippi and flows southward crossing the state line into southeastern Louisiana. The Amite River Basin includes 2,200 square miles flowing into the Amite River and its tributaries.

The study area is similar to the 1984 Amite Rivers and Tributaries Flood Control Initial Evaluation Study by USACE; however, it has been expanded to include areas that are impacted by backwater flooding to the southeast and east since they are hydraulically connected to the Amite River Basin and tributaries. Communities along the Amite River in East Baton Rouge, Ascension, and Livingston Parishes have undergone significant development since 1984 due to their proximity to Baton Rouge. Towns such as Prairieville, Gonzales, and Denham Springs are now subject to increased flood risks. No significant flood risks associated with the Amite River Basin were identified within the state of Mississippi; therefore, modeling and development of alternatives were focused on the state of Louisiana. This was confirmed with the Mississippi Soil and Water Conservation Commission, that there are no flooding impacts in the state of Mississippi from the Amite River and Tributaries in the state of Mississippi.

FISH AND WILDLIFE RESOURCES

The project area contains the Amite River and tributaries, sandbars, herbaceous and forested riparian wetlands, as well as upland forests. Two of the community types observed during roadside surveys were “small stream forests” and “hardwood slope forests” (LDWF 2009). Both communities contain yellow poplar, sweetgum, magnolia, and beech, as well as multiple species of oaks, hickories, and pines. The small stream forests also contain several species of elm and ash, as well as sycamore, cypress, cherry laurel, black gum, and river birch.

These ecosystems provide valuable habitat for a variety of freshwater fish, mussels, crustaceans, reptiles, amphibians, birds, and mammals. Many of these species (game and non-game) provide economic value to the State and local communities through hunting, fishing, bird watching, etc.

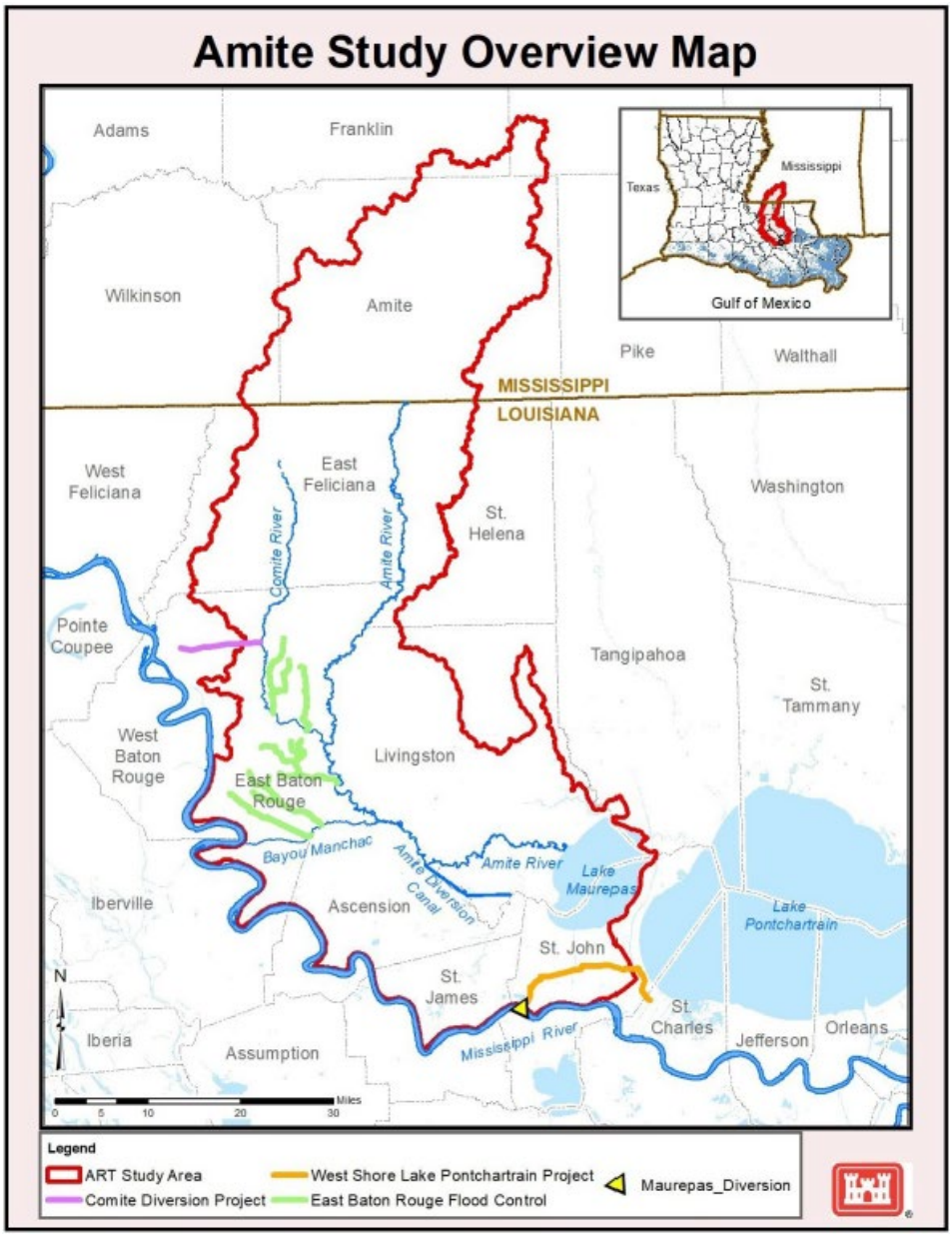

Figure 1. Amite River Basin and tributaries study area.

Federal trust species such as wading birds, waterfowl, and neotropical migrants all utilize the project area. Many of those species (i.e., little blue heron, wood thrush, prothonotary warbler, worm-eating warbler, Louisiana waterthrush, and painted bunting) have exhibited substantial population declines over the last 30 years, primarily as the result of habitat loss and fragmentation. The Amite River itself is of particular importance to several federally threatened and at-risk species that are discussed below. Maintaining unobstructed passage for those aquatic resources will be a necessary component of the project design. Additional State-listed at-risk species found within the project area include broadstripe topminnow (*Fundulus euryzonus*), Alabama shad (*Alosa alabamae*), Rayed creekshell (*Anodontoides radiatus*), and four-toed salamander (*Hemidactylium scutatum*).

The downstream portion of the Amite River has been altered by past deepening projects and a flood control project that rerouted flows. The middle portion of the Amit River has been impacted by sand and gravel mining. This mining has caused instability in the river resulting in the widening and shallowing of portions of the river. Loss of gravel bars has also contributed to this instability and the loss of that instream habitat. Increased turbidity and sedimentation from the instability has decreased aquatic diversity within the river. The upstream portion of the Amite River is adversely affected by incision of the channel due to the gravel mines. This creates turbidity and sedimentation problems as well further impacting less common and/or habitat specific species.

Threatened and Endangered Species

Within the study area, four threatened or endangered species are known to occur (Table1). Information regarding those species and their preferred habitats are provided below.

Table 1. List of threatened species known to occur within the project area.

Species	Species Group	Status
Inflated Heelsplitter Mussel	Mollusk	Threatened
Gulf Sturgeon	Fish	Threatened
West Indian Manatee	Mammal	Threatened
Northern Long-eared Bat	Mammal	Endangered

Inflated Heelsplitter

Federally listed as a threatened species, the Inflated heelsplitter mussel (*Potamilus inflatus*) was historically found in Louisiana in the Amite, Tangipahoa, and Pearl Rivers. Many life history aspects of the species are poorly understood but are likely similar to that of other members of the Unionidae family. Although the primary host fish for the species is not certain, investigation by K. Roe et al. (1997) indicates that the freshwater drum (*Aplodinotus grunniens*) is a suitable glochidial host for the species.

Based on the most recent survey data, the currently known range for the inflated heelsplitter in Louisiana occurs only in the lower third of the Amite River along the East Baton Rouge/Livingston Parish line from Spiller's Creek, which is in the vicinity of Denham Springs downstream to the vicinity of Port Vincent. Because it has not been used widely for past or present gravel mining operations, the lower third of the Amite River (between Louisiana Highway 37 and Louisiana Highway 42) is more typical of a coastal plain river; being characterized by a silt substratum, less channelization, and slower water flow, all of which are characteristic of heelsplitter

habitat. This freshwater mussel is typically found in soft, stable substrates such as sand, mud, silt, and sandy gravel, in slow to moderate currents. Heelsplitter mussels are usually found in depositional pools below sand point bars and in shallow pools between sandbars and riverbanks. Impacts from sand and gravel mining are believed to be decreasing the range of the inflated heelsplitter.

Major threats to this species in Louisiana are the loss of habitat resulting from sand and gravel dredging and channel modifications for flood control, as shown by the apparent local extirpation of the species in the extensively modified upper portions of the Amite River. If implementation of the proposed action has the potential to directly or indirectly affect the inflated heelsplitter or its habitat, further consultation with this office will be necessary.

Gulf Sturgeon

The Gulf sturgeon (*Acipenser oxyrhynchus desotoi*), federally listed as a threatened species, is an anadromous fish that occurs in many rivers, streams, and estuarine and marine 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, the Pearl River System, the Amite River, and adjacent estuarine and marine areas. Spawning occurs in coastal rivers between late winter and early spring (i.e., March to May). Adults and sub-adults may be found in those rivers and streams until November, and in estuarine or marine waters during the remainder of the year. Gulf sturgeon less than two years old appear to remain in riverine habitats and estuarine areas throughout the year, rather than migrate to marine waters. Habitat alterations such as those caused by water control structures and navigation projects that limit and prevent spawning, poor water quality, and over-fishing have negatively affected this species. If implementation of the proposed action has the potential to directly or indirectly affect the Gulf sturgeon or its habitat, further consultation with this office will be necessary.

West Indian Manatee

The threatened West Indian manatee (*Trichechus manatus*) is known to regularly occur in Lakes Pontchartrain and Maurepas and their associated coastal waters and streams. It also can be found less regularly in other Louisiana coastal areas, most likely while the average water temperature is warm. Based on data maintained by the Louisiana Natural Heritage Program (LNHP), over 80 percent of reported manatee sightings (1999-2011) in Louisiana have occurred from the months of June through December. Manatee occurrences in Louisiana appear to be increasing and they have been regularly reported in the Amite, Blind, Tchefuncte, and Tickfaw Rivers, and in canals within the adjacent coastal marshes of southeastern Louisiana. Cold weather and outbreaks of red tide may adversely affect these animals. However, human activity is the primary cause for declines in species number due to collisions with boats and barges, entrapment in flood control structures, poaching, habitat loss, and pollution. Please see Appendix A for recommendations to minimize potential impacts to manatees during construction.

Northern long-eared bat

The northern long-eared bat (*Myotis septentrionalis*), federally listed as an endangered species, is a medium sized bat about 3 to 3.7 inches in length but with a wingspan of 9 to 10 inches and is distinguished by its long ears. Its fur color can range from medium to dark brown on the back and tawny to pale brown on the underside. The northern long-eared bat can be found in much of the eastern and north central United States and all Canadian provinces from the Atlantic Ocean west to the southern Yukon Territory and eastern British Columbia. In Louisiana, there have been confirmed reports of sightings in West Feliciana, Winn, and Grant parishes, although they can possibly be found in other parishes in the state. Some individuals were documented during mist net and bridge surveys on the Winn District of the Kisatchie National Forest and observed under bridges on the Winn District in Grant Parish.

Northern long-eared bats can be found in mixed pine/hardwood forest with intermittent streams. Northern long-eared bats roost alone or in small colonies underneath bark or in cavities or crevices of both live trees and snags (dead trees). During the winter, northern long-eared bats can be found hibernating in caves and abandoned mines, although none have been documented using caves in Louisiana. Northern long-eared bats emerge at dusk to fly through the understory of forested hillsides and ridges to feed on moths, flies, leafhoppers, caddis flies and beetles, which they catch using echolocation. This bat can also feed by gleaning motionless insects from vegetation and water surfaces.

The most prominent threat to this species is white-nose syndrome, a disease known to cause high mortality in bats that hibernate in caves. Other sources of mortality for northern long-eared bats are wind energy development, habitat destruction or disturbance, climate change and contaminants. If implementation of the proposed action has the potential to directly or indirectly affect the northern long-eared bat or its habitat, further consultation with this office will be necessary.

The USACE is responsible for determining whether the selected alternative is likely (or not likely) to adversely affect any listed species and/or critical habitat, and for requesting the Service's concurrence with that determination. If the USACE determines, and the Service concurs, that the selected alternative is likely to adversely affect listed species and/or critical habitat, a request for formal consultation in accordance with Section 7 of the Endangered Species Act should be submitted to the Service. That request should also include the USACE's rationale supporting their determination.

At-Risk Species

The Service's Southeast Region has defined "at-risk species" as those that are: 1) proposed for listing under the Endangered Species Act (ESA) by the Service; 2) candidates for listing under the ESA, which means the species has a "warranted but precluded 12-month finding"; or 3) petitioned for listing under the ESA, which means a citizen or group has requested that the Service add them to the list of protected species. Petitioned species include those for which the Service has made a substantial 90-day finding as well as those that are under review for a 90-day finding. As the Service develops proactive conservation strategies with partners for at-risk species, the states' Species of Greatest Conservation Need (defined as species with low or declining populations) will also be considered.

The Service's goal is to work with private and public entities on proactive conservation to conserve these species, thereby precluding the need to federally list as many at-risk species as possible. While not all species

identified as at-risk will become ESA listed species, their potentially reduced populations warrant their identification and attention in project planning. Listed below are species currently designated as "at-risk" that may occur within the proposed study area.

Proposed Threatened

Alligator Snapping Turtle

The alligator snapping turtle (*Macrochelys temminckii*) may be found in large rivers, canals, lakes, oxbows, and swamps adjacent to large rivers. It is most common in freshwater lakes and bayous, but also found in coastal marshes and sometimes in brackish waters near river mouths. Typical habitat is mud-bottomed waterbodies having some aquatic vegetation. The alligator snapping turtle is slow growing and long lived. Sexual maturity is reached at 11 to 13 years of age (Ernst et al.1994). Because of this and its low fecundity, loss of breeding females is thought to be the primary threat to the species.

Alabama Hickorynut

The Alabama hickorynut (*Obovaria unicolor*) is a 1.2- to 2-inch-long freshwater mussel with round or elliptical shape. The outer shell (periostracum) is smooth and brown to yellow brown, with rays. This species is a long term brooder that is gravid from June through August of the following year. Like other freshwater mussels, the Alabama hickorynut releases its larvae (glochidia) into the water column, where they parasitize a fish (glochidial host) to transform into a juvenile mussel. Once the glochidia are ready, they release from the host to find a suitable substrate. Suitable glochidial host fishes for this species include the naked sand darter (*Ammocrypta beani*), southern sand darter (*Ammocrypta meridiana*), Johnny darter (*Etheostoma nigrum*), Gulf darter (*Etheostoma swaini*), blackbanded darter (*Percina nigrofasciata*), dusky darter (*Percina sciera*), and redspot darter (*Etheostoma artesiae*). These are small fish that live along the bottoms of clear streams.

The Alabama hickorynut inhabits sand and gravel substrates in moderate currents in large streams. However, the presence of moderate gradient pool and riffle habitats in a variety of stream and river sizes may contain this species. In Louisiana, the Alabama hickorynut is known to occur in the Pearl and Amite River systems. Habitat modification and destruction due to siltation and impoundment threaten this species. It is also negatively affected by the pollution of streams and rivers.

Candidate Species

Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is a candidate species and not yet listed or proposed for listing. Consultation with U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act is not required for candidate species, like the monarch. We encourage agencies, however, to take advantage of any opportunity they may have to conserve the species.

Unfortunately, the North American monarch population has severely declined. Habitat loss, pesticides, disease, climate change, predators, extreme weather, and other anthropogenic factors all threaten monarchs. Since the late 1990s both the eastern and western overwintering populations have declined by over 70 percent, as documented by World Wildlife Fund – Mexico in collaboration with SEMARNAT (Mexico's Ministry of Environment and Natural Resources), CONANP (Mexico's National Commission of Natural Protected Areas) and the Monarch Butterfly Biosphere Reserve (Semmens et. al 2016). Monarchs make an excellent flagship species for pollinator conservation. Creating habitat for monarchs by planting diverse, native nectar plants and milkweed also creates habitat for other pollinators which we rely on for pollination services in agricultural and natural settings. Conserving pollinators and their habitat has positive cascading effects leading to conservation of other animals like songbirds and mammals. This pays dividends towards the health of our natural and managed habitats, paving a future for our own species.

Adult monarch butterflies are large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. The black border has a double row of white spots, present on the upper side of the wings. In many regions where monarchs are present, monarchs breed year-round. Individual monarchs in temperate climates, such as eastern and western North America, undergo long-distance migration, and live for an extended period. In the fall, in both eastern and western North America, monarchs begin migrating to their respective overwintering sites. This migration can take monarchs distances of over 3,000 km and last for over two months.

Migratory Birds and Other Trust Resources

Bald Eagle

The proposed project area may provide nesting habitat for the bald eagle (*Haliaeetus leucocephalus*), which was officially removed from the List of Endangered and Threatened Species as of August 8, 2007. However, the bald eagle remains protected under the MBTA and BGEPA.

Bald eagles typically nest in large trees located near coastlines, rivers, or lakes that support adequate foraging from October through mid-May. In southeastern Louisiana parishes, eagles typically nest in mature trees (e.g., baldcypress, sycamore, willow, etc.) near fresh to intermediate marshes or open water. Major threats to this species include habitat alteration, human disturbance, and environmental contaminants. Furthermore, bald eagles are vulnerable to disturbance during courtship, nest building, egg laying, incubation, and brooding. Disturbance during these periods may lead to nest abandonment, cracked and chilled eggs, and exposure of small young to the elements. Human activity near a nest late in the nesting cycle may also cause flightless birds to jump from the nest tree, thus reducing their chance of survival.

During project construction, on-site personnel should be informed of the possible presence of nesting bald eagles (*Haliaeetus leucocephalus*) near the project boundary, and should identify, avoid, and immediately report any such nests to this office. If an active or inactive eagle nest is discovered within 2 miles of the project footprint, then follow the bald and golden eagle guidelines to determine whether disturbance will occur and/or an incidental take permit is needed.

Wading Bird Colonies

In accordance with the MBTA and the FWCA, please be advised that the project area includes habitats that are commonly inhabited by colonial nesting waterbirds. We recommend that a qualified biologist inspect the

proposed work sites for the presence of nesting colonies (during the nesting season) prior to any work being initiated that would impact the colony. For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills), anhingas, and/or cormorants, all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period, depending on the species present.

In addition, we recommend that on-site contract personnel including project-designated inspectors be trained to identify colonial nesting birds and their nests and avoid affecting them during the breeding season (i.e., the time period outside the activity window). Should on-site contractors and inspectors observe potential nesting activity, coordination with the Service and the Louisiana Department of Wildlife and Fisheries should occur.

DESCRIPTION OF TENTATIVELY SELECTED PLAN AND EVALUATED ALTERNATIVES

The project was designated as a Mega Study in early August 2023, which facilitated Project Development Team (PDT) efforts in an accelerated timeline. The Tentatively Selected Plan (TSP), in the publicly released 2019 Draft Integrated Feasibility Report/Environmental Impacts Statement (DIFR/EIS), included a $2.3 billion dry dam and nonstructural measures to address residual risk. This preliminary plan was initially determined to be feasible, but later revealed technical and policy concerns that were raised during the review process. As a result, this plan was further evaluated, but ultimately rejected as a consideration. With the removal of the Dry Dam alternative, the next highest National Economic Development (NED) Plan in the 2019 DFIR/EIS final array was the nonstructural plan (nonstructural includes measures such as structure elevations, relocations, and flood-proofing). To further assess the nonstructural only plan, three alternatives were developed as well as revisions to existing conditions to account for projects that alter hydrology. Additionally, hydraulic and hydrology models were modified for inclusion of storm surge downstream boundary conditions. The first alternative identified was the nonstructural NED plan using a new USACE method of aggregation and two additional alternatives that increased the comprehensive benefits for socially vulnerable areas.

Previous alternatives (15 alternatives) were discussed in the October 2019 FWCA Report and are herein incorporated by reference.

DESCRIPTION OF IMPACTS

The completion of the nonstructural plan (structure elevations, relocations, and flood-proofing of already developed areas) would result in minimal or no impacts to fish and wildlife resources.

SERVICE POSITION AND RECOMMENDATIONS

The Service does not object to the nonstructural plan of the TSP provided that the following recommendations are fully addressed.

1. If ring levees are proposed as part of the "non-structural" component of the TSP, the levee alignments should be located to avoid and minimize impacts to both herbaceous wetlands and forested communities (wet and non-wet) as much as possible. The acreage of wetlands and forested habitat enclosed within ring levees also should be minimized to the maximum extent practicable.

2. Avoid adverse impacts to bald eagle nesting locations and wading bird colonies through careful design of project features and timing of construction. During project construction, a qualified biologist should inspect the proposed construction site for the presence of documented and undocumented wading bird nesting colonies and bald eagles.

    a. All construction activity during the wading bird nesting season (February through October 31 for wading bird nesting colonies, exact dates may vary) should be restricted within 1,000 feet of a wading bird colony. If restricting construction activity within 1,000 feet of a wading bird colony is not feasible, the CPRA should coordinate with the Service to identify and implement alternative best management practices to protect wading bird nesting colonies.
    b. During construction activities, if a bald eagle nest is within or adjacent to the proposed project area, the applicant should follow the bald and golden eagle guidelines found on-line here to determine whether disturbance will occur and/or an incidental take permit is needed.

3. If implementation of the proposed action has the potential to directly or indirectly affect Inflated heelsplitter mussel, Gulf sturgeon, West Indian Manatee, or the Northern long-eared bat, then consultation with this office should be initiated.

4. West Indian manatees occasionally enter Louisiana coastal waters and streams during the warmer months (i.e., June through September). During in-water work in areas that potentially support manatees all personnel associated with the project should be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel should be advised that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and state law. Additionally, personnel should be instructed not to attempt to feed or otherwise interact with manatees, although passively taking pictures or video would be acceptable. For more detail on avoiding contact with manatees refer to the Endangered and Threatened Species section of this document, contact this office.

5. The Service recommends that the USACE contact the Service for additional ESA section 7 consultation if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat, 3) the action is modified in a manner that causes effects to listed species or designated critical habitat, or 4) a new species is listed or critical habitat designated.

We appreciate the cooperation of your staff on this project and look forward to our continued coordination to further protect fish and wildlife resources. Should you have any questions regarding our comments, please contact Cathy Breaux [redacted] of this office.

Sincerely,

Brigette D. Firmin BRIGETTE FIRMIN Digitally signed by BRIGETTE FIRMIN Date: 2023.11.15 11:27:36 -06'00'
Field Supervisor
Louisiana Ecological Services Office

cc: FWS, Ecological Services, Jackson, MS

Literature Cited

Ernst, C. H., J. E. Lovich, and R. W. Barbour. 1994. Turtles of the United States and Canada. Smithsonian Institution Press, Washington, DC.

Louisiana Department of Wildlife and Fisheries. 2009. The Natural Communities of Louisiana. Louisiana Natural Heritage Program.

Appendix A

Manatee Conditions/Recommendations

During in-water work in areas that potentially support manatees all personnel associated with the project should be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel should be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973.

Additionally, personnel should be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video would be acceptable. We recommend the inclusion of the following

measures into construction plans and specifications to minimize potential impacts to manatees in areas where they are potentially present:

- All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). We recommend the following to minimize potential impacts to manatees in areas of their potential presence:

- All work, equipment, and vessel operation should cease if a manatee is spotted within a 50- foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone on its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).

- If a manatee(s) is sighted in or near the project area, all vessels associated with the project should operate at "no wake/idle" speeds within the construction area and at all times while in waters where the draft of the vessel provides less than a four-foot clearance from the bottom. Vessels should follow routes of deep water whenever possible.

- If used, siltation or turbidity barriers should be properly secured, made of material in which manatees cannot become entangled, and be monitored to avoid manatee entrapment or impeding their movement.

- Temporary signs concerning manatees should be posted prior to and during all in-water project activities and removed upon completion. Each vessel involved in construction activities should display at the vessel control station or in a prominent location, visible to all employees operating the vessel, a temporary sign at least 8½ " X 11" reading language similar to the following: "CAUTION BOATERS: MANATEE AREA/ IDLE SPEED IS REQUIRED IN CONSRUCTION AREA AND WHERE THERE IS LESS THAN FOUR FOOT BOTTOM CLEARANCE WHEN MANATEE IS PRESENT". A second temporary sign measuring 8½ " X 11" should be posted at a location prominently visible to all personnel engaged in water-related activities and should read language similar to the following: "CAUTION: MANATEE AREA/ EQUIPMENT MUST BE SHUTDOWN IMMEDIATELY IF A MANATEE COMES WITHIN 50 FEET OF OPERATION".

- Collisions with, injury to, or sightings of manatees should be immediately reported to the Service's Louisiana Ecological Services Office (337/291-3100) and the Louisiana Department of Wildlife and Fisheries, Natural Heritage Program (225/765-2821). Please provide the nature of the call (i.e., report of an incident, manatee sighting, etc.); time of incident/sighting; and the approximate location, including the latitude and longitude coordinates, if possible.

COASTAL ZONE MANAGEMENT ACT

JEFF LANDRY
GOVERNOR

TYLER PATRICK GRAY
SECRETARY

State of Louisiana

DEPARTMENT OF ENERGY AND NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

March 13, 2024

Jordan R. Logarbo
Biologist
Corps of Engineers-New Orleans District
7400 Leake Avenue
New Orleans, LA 70118
Via e-mail: [redacted]

RE: **C20190202 MOD 01**, Coastal Zone Consistency
New Orleans District, Corps of Engineers (COE)
Direct Federal Action
Amite River and Tributaries East of the Mississippi River, Louisiana Supplemental Second Draft Integrated Feasibility Report with Environmental Assessment #600
Multi-Parish, Louisiana

Dear Ms. Logarbo:

The above referenced project has been reviewed for consistency with the Louisiana Coastal Resources Program in accordance with Section 307 (c) of the Coastal Zone Management Act of 1972, as amended. The project, as proposed in this application, is consistent with the LCRP.

If you have any questions concerning this determination, please contact Ray Reich of the Consistency Section at ([redacted]
Sincerely,

/S/ Charles Reulet
Administrator
Interagency Affairs/Field Services Division

CR/MH/rar

cc: Dave Butler, LDWF
Sydney Dobson, CPRA
Les Rosso, State Lands
Joey Heintz, LDNR

COORDINATION WITH LDNR AND LDWF ON WILDLIFE DIVERSITY

Logarbo, Jordan Rita CIV (USA)

From: Ray Reich
Sent: Tuesday, March 5, 2024 11:05 AM
To: Logarbo, Jordan
Subject: [Non-DoD Source] FW: MULTI-PARISH- Amite River Watershed Supplemental Second Draft Integrated Feasibility Report with EA #600 - C20190202 Mod 01

Good morning, Jordan

Below are comments from LDWF regarding Wildlife Diversity. Each have recommendations and if the Corps could provide responses that would be fantastic. I will be out of the office from 1230 -430PM today and Thursday.

Thanks!

Ray Reich
[redacted]

From: Dave Butler
Sent: Tuesday, March 5, 2024 10:53 AM
To: Ray Reich
Subject: FW: MULTI-PARISH- Amite River Watershed Supplemental Second Draft Integrated Feasibility Report with EA #600 - C20190202 Mod 01

Ray,

The Wildlife Diversity database indicates that the following rare, threatened and endangered species and natural communities may be impacted by the project:

Inflated Heelsplitter (*Potamilus inflatus*). This mussel species is listed as federally THREATENED under the Endangered Species Act (16 U.S.C. 1531-1544) and as state THREATENED under L.A.C. 76: I.317. In Louisiana, heelsplitter populations are threatened by instream sand and gravel mining as well as urbanization, which leads to increased runoff and altered flows. Freshwater mussels are among the most imperiled animal groups in the southeastern United States. As excellent indicators of environmental health, mussels are typically extremely sensitive to water quality degradation, alterations to stream flow, and increases in water temperature. To minimize impacts to mussels within the project area, prevent siltation and pollution of streams, drive no vehicles across or through streambeds, minimize or eliminate instream and floodplain mining activities, and respect Streamside Management Zones. Leaving buffers of trees along streams allows for shading, which reduces adverse water temperature fluctuations and minimizes erosion and siltation. Contact Chuck Battaglia at 337-735-8688 for additional information.

Gulf Sturgeon (*Acipenser oxyrhynchus desotoi*) and Gulf Sturgeon Critical Habitat. The Gulf Sturgeon is listed as federally THREATENED under the Endangered Species Act (16 U.S.C. 1531-1544) and as state THREATENED under
L.A.C. 76: I.317. Major population limiting factors are thought to include barriers to spawning habitats and habitat loss associated with the construction of water control structures, including dams and sills. Other threats identified include modification to habitat associated with dredged material disposal and poor water quality associated with contamination. Should this project utilize water intakes, intakes should be screened with ≤ ¼-inch mesh; intake velocity should be < ½ foot/second; and intakes should be placed at water depths > 15 feet.

West Indian Manatee (*Trichechus manatus*). The manatee is a large, aquatic mammal that inhabits both fresh and salt water. Although the manatee is a year round resident of Florida and Central America, the species has been known to migrate to areas along the Atlantic and Gulf coasts during the summer months. The West Indian Manatee is listed as federally THREATENED under the Endangered Species Act (16 U.S.C. 1531-1544) and as state THREATENED under L.A.C. 76: I.317. In addition, the species is protected under the federal Marine Mammal Protection Act (16 U.S.C. 1361- 1407). In Louisiana, take or harassment of a manatee is a violation of state and federal laws. Critical habitat for the manatee includes beds of submerged aquatic vegetation (e.g., aquatic grass beds). Areas with aquatic grass beds should be avoided during project activities. Report all manatee sightings to the Louisiana Department of Wildlife and Fisheries at 337-735-8679 or 1-800-442-2511.

Alligator Snapping Turtle (*Macrochelys temminckii*). This very large freshwater turtle is vulnerable (S3) in Louisiana and is PROPOSED THREATENED by the USFWS. Minimize disturbance and alteration of nesting habitat, particularly during nesting season (April – June). Nesting typically occurs close to river banks and lake shores. Minimize removal of log jams in streams, as woody debris provides cover and hunting areas used by this species. Stream alteration should be avoided to protect turtle habitat. If dredging is needed, material should be dumped away from potential turtle nesting sites or dumped prior to egg laying (May – early June). Please contact Keri Lejeune at 337-735-8676 for more information.

Alabama Shad (*Alosa alabamae*). This freshwater fish species is critically imperiled (S1) in Louisiana and globally imperiled (G2G3). The Alabama Shad prefers large flowing rivers, spawning over sand, gravel, and rock substrates from January to April. An increase in water control structures, poor water quality, and dredging of sand bars has caused a significant population decline over the last forty years. Habitat protection is recommended for this species by avoiding disturbances such as construction of dams, water pollution, and siltation; in addition, prevent disturbance to stream beds.

Suckermouth Minnow (*Phenacobius mirabilis*). This critically imperiled (S1), benthic species occupies runs and riffles of creeks and small to medium (sometimes large) rivers with substrates ranging from sand and gravel to

large boulders. Minimize negative impacts to the habitat of the Suckermouth Minnow by keeping sand-bottomed streams clean and free of silt.

Southern Creekmussel (*Pseudodontoideus subvexus*). This species is considered critically imperiled (S1) in Louisiana because of its extreme rarity. Habitat protection is recommended for this species by avoiding disturbances such as water pollution, siltation, and the construction of dams. In addition, it is important to avoid disturbances of the soil/stream bottoms and existing mussel beds. If you have any questions, please contact Chuck Battaglia at 337-735-8688.

Southern Hickorynut (*Obovaria arkansasensis*). This freshwater mussel species is globally imperiled (G2) and critically imperiled (S1S2) in Louisiana, where it may be found in creeks to medium rivers. Prevent siltation of waterways and drive no vehicles across or through streambeds. No new aquatic barriers should be constructed. Contact Chuck Battaglia at 337-735-8688 for additional information.

Mississippi Pigtoe (*Pleurobema beadleianum*). This imperiled (S2) freshwater mussel species is found in Louisiana's Florida Parishes. As filter feeders, mussels can be extremely sensitive to degradation in water quality, as well as siltation and vehicular traffic across stream beds. Respect Streamside Management Zones and prevent habitat disturbance.

Southern Rainbow (*Villosa vibex*). This freshwater mussel species is found in the southeastern United States in mud or soft sand bottomed waterbodies. In Louisiana, the Southern Rainbow is restricted to the Florida Parishes and is considered imperiled (S2). Prevent disturbance to streambeds and respect Streamside Management Zones.

Broadstripe Topminnow (*Fundulus euryzonus*). This species is considered imperiled (S2) in Louisiana. The Broadstripe Topminnow prefers creeks and small rivers, frequently occurring at the surface along overhanging banks, overhanging partially submerged shrubs or trees, or around stumps, snags, and living trees standing in water close to the bank. Threats include chemical pollution, channel alterations, and construction of impoundments for navigation and flood control that could alter or eliminate habitat. Effort should be made to minimize impacts to this species.

Gulf Logperch (*Percina suttkusi*). This imperiled (S2) freshwater fish species is endemic to Louisiana, Mississippi, and Alabama. Gulf Logperch is found in the Pearl River and Lake Pontchartrain basins in Louisiana where it prefers streams and rivers with gravel and riffles. Prevent disturbance to stream beds and prevent erosion streamside.

Rainbow Darter (*Etheostoma caeruleum*). This colorful fish species is imperiled (S2) in Louisiana where it may be found in small, swift streams to medium-sized rivers. Threats to this species include degradation of water quality by siltation and chemical pollutants. Prevent runoff into streams.

Elephant-ear (*Elliptio crassidens*). Although widespread in the eastern USA, this vulnerable (S3) mussel species is uncommon in Louisiana. This species is found in medium to large rivers with mostly sandy bottoms. Prevent siltation of waterways and drive no vehicles across or through streambeds. No new aquatic barriers should be constructed. Contact Chuck Battaglia at 337-735-8688 for additional information.

Smooth Softshell (*Apalone mutica*). This freshwater turtle species is considered vulnerable (S3) in Louisiana, where it occurs in rivers and streams, particularly those with sandbars for nesting. In addition to threats like the depredation of nests and construction of aquatic barriers, as a species of sandbar-nesting turtle, the Smooth Softshell may experience significant nest loss via off-road vehicle disturbance. Please contact Keri Lejeune at 337-735-8676 for more information.

Clear Chub (*Hybopsis winchelli*). This freshwater fish species is considered vulnerable (S3) in Louisiana where it may be found in creeks and rivers with sand-silt bottoms and riffles. Prevent negative impacts to waterbodies in the project area.

Saddleback Darter (*Percina vigil*). This small, freshwater fish species occurs in small to medium rivers with sand and gravel bottoms and is considered vulnerable (S3) in Louisiana. Threats to the species are not well resolved, but likely include water pollution and construction of aquatic barriers.

Spruce Pine-Hardwood Mesic Flatwoods. This flatwoods type is a natural mixed forest community endemic to the western Florida Parishes and is distinguished by the prevalence of Spruce Pine (*Pinus glabra*) over Loblolly Pine (*Pinus taeda*), although Loblolly Pine is usually present at some level. Hardwoods usually dominate the forest, but Spruce Pine can dominate areas within a stand. Soils are hydric, acidic silt loams including the Encrow, Gilbert and Springfield series. These soils are significantly higher in nutrient levels than those historically supporting the Longleaf Pine (*Pinus palustris*) communities occupying similar hydrologic settings in the eastern Florida Parishes (Smith 1996). This edaphic factor may have precluded Longleaf Pine from this community type. Historically, fire was likely not a major component in this community as the constituent plant species are not fire adapted, and fuel conditions are not conducive to fire. Spruce Pine-Hardwood Flatwoods typically have a dense canopy resulting in heavy shading and, usually, a sparse understory. Palmetto is often an understory dominant. Please contact Brian Early at 225-765-3992 for more details on this habitat.

Below are other rare fish and mussel species occurring within the project area:

Common Name	*Scientific Name*	S Rank
Alabama Hickorynut	*Obovaria unicolor*	S1
Rayed Creekshell	*Strophitus pascagoulaensis*	S2
Shoal Chub	*Macrhybopsis hyostoma*	S3
Southern Pocketbook	*Lampsilis ornata*	S3

Thanks, Dave Butler

[redacted]

USACE RESPONSE:

Logarbo, Jordan Rita CIV (USA)

From: Logarbo, Jordan Rita CIV (USA)
Sent: Tuesday, March 12, 2024 12:09 PM
To: Ray Reich
Cc: [redacted] Dave Butler
Subject: RE: MULTI-PARISH- Amite River Watershed Supplemental Second Draft Integrated Feasibility Report with EA #600 - C20190202 Mod 01

Good Afternoon Ray,

Thank you for sending the LDWF comments over, please accept this email as acknowledgement of receipt.

In response: The Amite River and Tributaries project would be 100% nonstructural and would be voluntary to opt into. If funded by congress, and a structure owner decides to opt in and goes to construction, there would be best management practices in place to avoid and minimize any impacts

to Threatened, Endangered, and Protected species that may be at the structure site (on a structure by structure basis). The list of species provided by LDWF has been added to Appendix D-1, and best management practices would be described and re-iterated there.

Best,
Jordan

Jordan R. Logarbo
Biologist
U.S. Army Corps of Engineers New Orleans District
Regional Planning and Environment Division, South
jordan.r.logarbo@usace.army.mil
office: (504) 862-1158

COORDINATION WITH LDEQ

JEFF LANDRY
GOVERNOR

AURELIA S. GIACOMETTO
SECRETARY

STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF THE SECRETARY

February 1, 2024

Jordan Logarbo, Biologist
New Orleans Environmental Branch, CEMVN-PDS-R
7400 Leake Avenue
New Orleans, LA 70118
mvnenvironmental@usace.army.mil

RE: 240103/0005

SSDIFR/EA #600 and Draft FONSI for the Amite River and Tributaries East of the Mississippi River, Louisiana
US Army Corps of Engineers Funding
East Feliciana, St. Helena, East Baton Rouge, Livingston, Iberville, and Ascension Parishes

Dear Ms. Logarbo:

The Louisiana Department of Environmental Quality (LDEQ) has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-3590 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit is required. An application form or Notice of Intent will need to be submitted if the sludge management practice includes preparing biosolids for land application or preparing sewage sludge to be hauled to a landfill. Additional information may be obtained on the LDEQ website at https://deq.louisiana.gov/page/sewage-biosolids or by contacting the LDEQ Water Permits Division at (225) 219- 3590.

Post Office Box 4301 • Baton Rouge, Louisiana 70821-4301 • Phone 225-219-3953 • Fax 225-219-3971
www.deq.louisiana.gov

JEFF LANDRY
GOVERNOR

AURELIA S. GIACOMETTO
SECRETARY

STATE OF LOUISIANA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.
- **Updated information for water quality impairments may be found here: https://www.deq.louisiana.gov/page/2022-water-quality-inventory-integrated-report-305b303d**
- **The project study area, as estimated from Figure D:2-3 in the *Amite River and Tributaries East of the Mississippi River, Louisiana Feasibility Study (ART) Appendix D-2 – Supporting Information* document (2023), contains ~21 LDEQ defined water quality units. These units are: LA040101_00, LA040102_00, LA040201_00, LA040202_00, LA040301_00 (Scenic), LA040302_00, LA040303_00, LA040304_00, LA040306_00, LA040307_00, LA040308_00, LA040309_00, LA040401_00 (Scenic), LA040402_00, LA040403_00 (Scenic), LA040404_00, LA040502_00, LA040506_00, LA0400602_00, LA040605_00, and LA070502_00 (partial). According to the 2022 Integrated Report, the following impairments occur for at least one (or more) water unit: chloride, oxygen, bacteria, mercury in fish tissue, nutrients, pH, sulfate, temperature, and turbidity/total dissolved solids. LDEQ's Water Quality Management Plan indicates that total maximum daily load pollution control allocations are in effect within the study area for oxygen, bacteria, mercury in fish tissue, nutrients and turbidity/total dissolved solids. Control of nonpoint source pollution from construction activities should be followed as outlined above, as disturbance and sedimentation can worsen water quality.**
- **If the project will involve the disturbance of any soils in former UST areas which may exceed the Screening Option Standards established by the LDEQ Risk Evaluation/Corrective Action Program (RECAP) Regulation, these materials may be considered a waste and disposed of at a permitted facility, or might be managed as part of a Solid Waste Beneficial Use or Soil Reuse Plan in accordance with LAC 33:VII.Chapter**

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11. Alternately, a site-specific RECAP Evaluation might be conducted and submitted to the LDEQ.

- **If any underground storage tanks are encountered during the project, they must be in compliance with the regulations found in LAC 33:XI of the Environmental Regulatory Code. If any contaminated soil or groundwater is encountered, the findings should be reported to LDEQ.**

Per email communication with Jordan Logarbo, Biologist with the U.S. Army Corps of Engineers, New Orleans District (CEMVN),
"The project is a feasibility level study, so we do not have the details about contractors that would be doing the potential work to elevate/floodproof structures. As such we do not have an agency decision, authorization or appropriations for construction.
a. If authorized and funded for construction, we estimate the proposed action could begin with implementation of the pilot phase as soon as 2026.
The CEMVN will coordinate with the LADEQ prior to any construction activities associated with the proposed action to ensure with the Chapter 14 General Conformity requirements."
Once more information is submitted concerning the actual project, the Air Planning & Assessment Division will review and respond.

Please send all Solicitation of Views (SOVs) requests and questions to SOVs@la.gov.

Sincerely,
mcjimenez
Marissa Jimenez
Environmental Scientist Manager
Louisiana Department of Environmental Quality
Office of the Secretary

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