



United States Department of the Interior



FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

March 30, 2006

Lawrence C. Evans
U.S. Army Corps of Engineers
Restoration Program Office
1400 Centrepark, Suite 750
West Palm Beach, Florida 33401-7402

Attention: Tori White

Service Project Code: 41420-2006-P-0042
Corps Application No.: SAJ-2005-6598 (NW-TKW)
Date: March 23, 2006
Applicant: South Florida Water Management District
County: Collier

Dear Mr. Evans:

This letter provides the Fish and Wildlife Service's (Service) comments on the U.S. Army Corps of Engineers' (Corps) Section 404 permit application (under Nationwide Permit Number 38) for the Picayune Strand Restoration Project (PSRP) 1.6-acre soil remediation activity (pilot chlordane contamination project). This letter represents the Service's view of the effects of the proposed action in accordance with section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*) and the provisions of the Fish and Wildlife Coordination Act of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*).

PROJECT DESCRIPTION

Agrochemical impacts (chlordane) have been identified in former agricultural areas in the PSRP boundary. Approximately 38.5 and 30 acres of chlordane-impacted soils exist on the PSRP and adjacent Belle Meade properties and Picayune Strand State Forest (PSSF), respectively. Contaminated soils are present in both uplands and wetlands. The purpose of this 1.6-acre demonstration project is to determine the success of a soil inversion method using an off-road pan scraper following land clearing and the removal of heavy vegetation and roots. The project is subject to specific conditions as described in the March 23, 2006, draft permit as received from the Corps, including prohibition against removal of vegetative debris from the site, report submission to the Service and the U.S. Environmental Protection Agency, and submission of an alternative plan for cleanup of the site if the pilot remediation project is not successful.

FISH AND WILDLIFE RESOURCES

The Service conducted a site inspection of the project area on January 24, 2006. The purpose of the site inspection was to determine the presence or potential presence of fish and wildlife species including federally and State-listed species and nesting migratory birds in preparation for



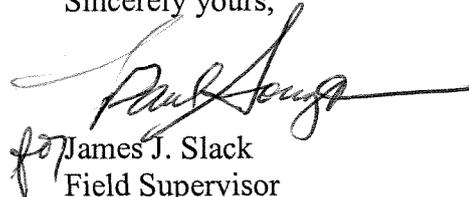
land clearing and soil movement activities. A Phase III Environmental Assessment dated February 24, 2005, and a pilot study and demonstration program to remediate chlordane was submitted to and reviewed by the Service's contaminant specialists.

THREATENED AND ENDANGERED SPECIES

The Corps has determined the pilot remediation project "may affect, but is not likely to adversely affect" any federally listed species, including the Florida panther (*Puma concolor coryi*), wood stork (*Mycteria americana*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), West Indian manatee (*Trichechus manatus*) and its critical habitat, American crocodile (*Crocodylus acutus*), red-cockaded woodpecker (*Picoides borealis*), eastern indigo snake (*Drymarchon corais couperi*) and bald eagle (*Haliaeetus leucocephalus*). The Service has coordinated this assessment with the applicant and the Corps. The Service concurs with the Corps' determination based on anticipated insignificant and discountable effects and potential benefits of a successful remediation project.

Thank you for your support in protection listed species and other fish and wildlife resource values. If you have any questions with regard to this project, please contact Kim Dryden in our Naples suboffice at 239-353-2873.

Sincerely yours,



for James J. Slack
Field Supervisor
South Florida Ecological Services Office

cc:

DEP, Tallahassee, Florida (John Outland)
EPA, West Palm Beach (Richard Harvey, Robert Linn)
Corps, Jacksonville, Florida (Joe Redican, John Kremer)
Service, Naples, Florida (Layne Hamilton, Kim Dryden)
Service, Atlanta, Georgia (Jerry Vits, Dave Horning)
Service, Jacksonville, Florida (Miles Meyer)
District, Fort Myers, Florida (Mike Duever, Janet Starnes)
District, Naples, Florida (Clarence Tears)
District, West Palm Beach, Florida (Kenneth Ammon, Tom Teets, Chip Eitel,
Juan Diaz-Carreras, Nimmy Jeyakumar, Millie Radzikhovsky, John Mitnik)
Fakahatchee Strand Preserve State Park, Naples, Florida (Dennis Giardina)
Collier-Seminole State Park, Naples, Florida (Chad Lach)
Rookery Bay National Estuarine Research Reserve, Naples, Florida (Gary Lytton)
DOF, Naples, Florida (Sonja Durrwachter)
Miccosukee Tribe of Indians of Florida, Miami, Florida