UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

MEMORANDUM FOR: FILE

FROM: Christy Fellas, DWH Environmental Compliance Coordinator
NOAA Restoration Center, Southeast Region

DATE: January 3, 2020

SUBJECT: Projects Proposed in Louisiana Trustee Implementation Group Restoration Plan #6 and Environmental Assessment: EFH Consultations already complete for West Grand Terre and Golden Triangle

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), established procedures designed to identify, conserve, and enhance Essential Fish Habitat (EFH) for those species regulated under a Federal fisheries management plan (FMP). A Federal agency must prepare an EFH Assessment for any Federal action that may adversely affect EFH (50 CPR 600.920(e)(l)). A Federal agency must first determine whether their action may adversely impact EFH. If a Federal agency determines that a Federal action may adversely impact EFH, then the Federal agency must prepare an EFH assessment. If a Federal agency determines that a Federal action will not adversely affect EFH, then the Federal agency is not required to prepare an EFH Assessment.

Based on my review of project materials (Fall 2019) in coordination with representatives from NOAA's Habitat Conservation Division (HCD) in the South East Regional Office (SERO), the NOAA Restoration Center determined that the West Grand Terre and Golden Triangle projects proposed for implementation in the in the Louisiana Trustee Implementation Group Restoration Plan #6 and Environmental Assessment do not require EFH consultation because EFH reviews and consultation were already completed as part the US Army Corps of Engineers permit process (see attached). As a result, none of the projects below require further EFH evaluation to be funded under the DWH NRDA process. Should any project be modified in a way that could adversely impact EFH, this determination will be reevaluated as appropriate.

Fwd: PGP II review of MVN-2017-01015-EG (P20181234) (CPRA - Golden Triangle Marsh Creation, PO-0163, Lake Borgne - Orleans Parish (UNCLASSIFIED)

1 message

Craig Gothreaux - NOAA Federal <craig.gothreaux@noaa.gov> Thu, Aug 15, 2019 at 5:06 PM
To: "Christy Fellas, NOAA" <christina.fellas@noaa.gov>

---------- Forwarded message ---------
From: **Craig Gothreaux - NOAA Federal** <craig.gothreaux@noaa.gov>
Date: Thu, Feb 14, 2019 at 4:03 PM
Subject: Re: PGP II review of MVN-2017-01015-EG (P20181234) (CPRA - Golden Triangle Marsh Creation, PO-0163, Lake Borgne - Orleans Parish (UNCLASSIFIED)
To: Greer, Angelle V CIV USARMY CEMVN (USA) <Angelle.V.Greer@usace.army.mil>

Angelle,

The NMFS Habitat Conservation Division has reviewed the project listed below, and does not object to the issuance of the following permit:
MVN-2017-01015-EG

Thank you for your coordination,
Craig

On Fri, Feb 8, 2019 at 12:43 PM Greer, Angelle V CIV USARMY CEMVN (USA) <Angelle.V.Greer@usace.army.mil> wrote:

> CLASSIFICATION: UNCLASSIFIED
>
> Applicant: Coastal Protection and Restoration Authority (CPRA)
> Application Number: MVN-2017-01015-EG
> CUP/Consistency No.: P20181234
>
> Attached is an application from CPRA , requesting approval to excavate and place fill material in Lake Borgne and adjacent wetlands to create/restore marsh habitat in Orleans Parish, Louisiana: [latitude: 30 0'48.46", longitude: -89 52'4.37"].
>
> The proposed work appears to be eligible under the PROGRAMMATIC GENERAL PERMIT, CATEGORY II. Please review and comment on the subject proposal within five working days so that we may consider your comments in our permit review.
>
> We are also forwarding the attached PCN to the National Marine Fisheries Service for review and comment concerning any project likely to affect any threatened or endangered species or destroy or adversely modify such species' critical habitat. Consultation with NMFS will be requested regarding potential effects to the Atlantic (Gulf) Sturgeon.
>
> Standard Local Operating Procedure for Endangered Species in Louisiana (SLOPES), dated October 22, 2014, between the U.S. Army Corps of Engineers, New Orleans and U.S. Fish and Wildlife Service, Ecological Services Office is being followed. SLOPES resulted in a determination of Not Likely to Adversely Affect for the West Indian Manatee with the inclusion of the "Standard Manatee Conditions For In-water Activities" with authorization.
>
> Thank you,
>
> Angelle Greer
> U.S. Army Corps of Engineers
> New Orleans District, Regulatory Branch
> Eastern Evaluation Section
>
> CLASSIFICATION: UNCLASSIFIED

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Fishery Biologist
Southeast Region, Habitat Conservation Division
NOAA Fisheries
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Office: (225) 380-0078
Craig.Gothreaux@noaa.gov

MVN-2016-1482-EPP

Craig Gothreaux - NOAA Federal <craig.gothreaux@noaa.gov> Thu, Aug 15, 2019 at 5:08 PM
To: "Christy Fellas, NOAA" <christina.fellas@noaa.gov>

---------- Forwarded message ---------
From: **Craig Gothreaux - NOAA Federal** <craig.gothreaux@noaa.gov>
Date: Wed, May 29, 2019 at 4:27 PM
Subject: MVN-2016-1482-EPP
To: Castaing, Stephanie L CIV USARMY CEMVN (US) <stephanie.l.castaing@usace.army.mil>
Cc: january murray - NOAA Federal <january.murray@noaa.gov>, Patrick Williams - NOAA Federal <patrick.williams@noaa.gov>, Christy Fellas, NOAA <christina.fellas@noaa.gov>, _NMFS ser HCDconsultations <nmfs.ser.hcdconsultations@noaa.gov>

Stephanie,

The NMFS Habitat Conservation Division has reviewed the permit application **MVN-2016-1482-EPP** for the West Grand Terre Beach Nourishment and Stabilization Project (BA-0197). CPRA is requesting approval to excavate and fill for the restoration of barrier island shoreline to include restoring beach, dune and marsh habitat, install and maintain rock revetment for stabilization and a small rock spur, and demolition and removal of the existing Lyle St. Amant Marine Laboratory at the West Grand Terre Island in Jefferson Parish, Louisiana. The NMFS is supportive of barrier island restoration projects; therefore, the following information is provided as technical assistance for the development of your decision documents.

Upon review of the permit application documents, NMFS expressed concerns over fill elevations and lack of a gapping plan to the applicant by an email dated May 6, 2019. A meeting was scheduled with CPRA and their E&D contractor on May 15, 2019 at which time our concerns were discussed along with other project details. Additional information was provided to NMFS via email over the following weeks, and these documents are discussed below and are also attached to this email.

Concerning the proposed marsh fill elevation: CPRA noted that the target fill elevation of +3.0' NAVD88 shown in the application drawings has since been revised during the final design process, and that they are now intending to utilize a target fill elevation of +2.0' NAVD88 with a 0.5' vertical construction tolerance. This change is reflected in the revised permit drawings and project narrative, and was informed by analysis of the settlement curves. Note that three sets of settlement curves were provided as part of their analysis; however, the moderate SLR case scenario is the one being utilized for design. Additionally, CPRA provided a BCIM habitat categorization map for the project area which illustrates that the majority of the dune fill is located on barrier vegetation and open water, while the marsh fill is predominately on estuarine vegetated wetland and open water. NMFS acknowledges that a gulf-ward shift in the dune fill footprint may lessen the impacts to some intertidal (11.9 acres) and estuarine vegetated wetland (31.7 acres) areas, but this would come at a cost of increased fill volumes and associated project costs.

Concerning the lack of a gapping plan: CPRA noted that while no gapping plan was included in the permit application documents, it was their intent to incorporate tidal connectivity features into the project through an adaptive management process that would field fit these features based on relative rates of settlement in areas that would make the most sense. As such, additional language was included in the project narrative, specifically on page 4: "The Marsh Containment Dike shall be monitored post-construction and when and where appropriate, gaps will be created to promote aquatic habitat development"; and "The Rock Revetments shall be monitored post-construction and when and where appropriate, fish-dips will be created to promote aquatic habitat development as part of Adaptive Management." NMFS agrees that field fitting is an appropriate technique for ensuring tidal connectivity and fishery access to restoration projects; however, we feel stronger language is needed either as a note on the permit plat or as a permit condition, to ensure the timely inclusion of these project features and connect the restored area to the surrounding ecosystem. Specific language should include guarantees on both minimal quantity (at least two gaps or "fish dips" in the rock revetment and at least three gaps in the earthen dike) and temporal implementation (no later than three years post construction) of the deliverable products, whereas spatial dimensions could be coordinated with NMFS at a later point in time through field fitting based on available survey information and performance data.

Overall, NMFS appreciates the applicant's willingness to coordinate and provide additional information/clarifications on the West Grand Terre Beach Nourishment and Stabilization Project. While there may ultimately be some adverse impacts to essential fish habitat (EFH) by the construction of this project, the overall net benefit to ecosystem function through the restoration of this barrier island would outweigh these impacts to EFH. Furthermore, the project modifications described above represent significant efforts by the applicant to avoid and minimize impacts to EFH. Therefore, NMFS does not object to the issuance of permits for this activity, provided the design for target marsh fill elevation does not change from that noted above and with the inclusion of more detailed language for a gapping plan, and thus concludes the EFH consultation for this project.

Thank you for your coordination,
Craig

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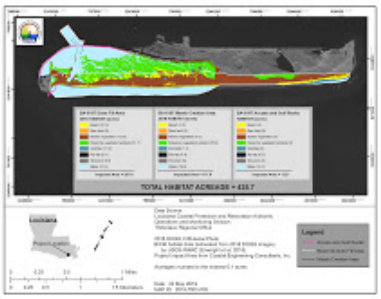
6 attachments



20190524_BA197_2016 BICM Habitats_revised.jpg
3125K

WGT marsh elevation SLR 0-5M.pdf
74K

WGT marsh elevation SLR 1M.pdf
74K

WGT marsh elevation SLR 1-5M.pdf
76K

West Grand Terre_BA-0197_Permit Narrative_05-23-2019.pdf
143K

West Grand Terre_BA-0197_Permit Update_05-21-2019.pdf
6768K