



United States Department of the Interior


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



April 14, 2020

Memorandum

To: Deputy *Deepwater Horizon* Department of the Interior Natural Resource Damage Assessment and Restoration (NRDAR) Case Manager

From: Field Supervisor, Louisiana Ecological Services Office 

Subject: Informal Consultation for the proposed Upper Barataria Marsh Creation Project

Please reference your March 27, 2020, memorandum requesting our review of the subject project which would be implemented in Louisiana by the Deepwater Horizon NRDAR Louisiana Trustee Implementation Group (LA TIG). The LA TIG has evaluated this project as a potential restoration project to restore natural resources in Louisiana that were injured as a result of the *Deepwater Horizon (DWH)* oil spill. The Fish and Wildlife Service (Service), Louisiana Ecological Services Office has reviewed the information provided and offers the following comments in accordance with the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

The proposed project involves creating approximately 1,221 acres of intertidal marsh; material for the marsh creation would be dredged from the Mississippi River. The proposed project would occur in Jefferson and Plaquemines Parishes, Louisiana. Your office provided a revised Biological Evaluation (BE) form on March 27, 2020, addressing the potential effects, conservation measures, and justifications and requested our concurrence with your determination of effects on federally listed threatened and endangered species in Louisiana under the Service's jurisdiction.

West Indian Manatee

The proposed project would be located in an area where the federally threatened West Indian manatee (*Trichechus manatus*) may occur. The West Indian manatee 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 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. Manatees

may also infrequently be observed in the Mississippi River and coastal areas of southwestern 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.

According to the BE, the West Indian manatee protection measures would be employed to minimize potential interactions with manatees. Based on the above information, the Service's Louisiana Ecological Services Office concurs with your determination that implementation of the proposed action is not likely to adversely affect the West Indian manatee.

Pallid Sturgeon

The pallid sturgeon (*Scaphirhynchus albus*) is an endangered, bottom-oriented, fish that inhabits large river systems from Montana to Louisiana. Within this range, pallid sturgeon tend to select main channel habitats in the Mississippi River and main channel areas with islands or sand bars in the upper Missouri River. In Louisiana it occurs in the Atchafalaya and Mississippi Rivers, and below Lock and Dam Number 3 on the Red River (with known concentrations in the vicinity of the Old River Control Structure Complex). The pallid sturgeon is adapted to large, free-flowing, turbid rivers with a diverse assemblage of physical characteristics that are in a constant state of change. Many life history details and subsequent habitat requirements of this fish are not known. However, the pallid sturgeon is believed to utilize Louisiana riverine habitat during reproductive stages of its life cycle. Habitat loss through river channelization and dams has adversely affected this species throughout its range.

The density of pallid sturgeon in the Mississippi River Delta is thought to be low; however, sampling efforts in that area have not been extensive so population estimates in these areas are uncertain (USFWS 2010). If present in the proposed riverine borrow areas during dredging, impacts are expected to be short-term and insignificant as a result of construction disturbance. Pallid sturgeon are highly mobile and individuals disturbed by construction activities would likely leave the area and move to suitable nearby habitats. In addition, pallid sturgeon protection measures, designed to minimize potential impacts associated with dredging, would be employed. Based on the above information, the Service's Louisiana Ecological Service Office concurs with your determination that implementation of the proposed action is not likely to adversely affect pallid sturgeon.

The Service recommends that you contact the Service's Louisiana Ecological Services Office for additional 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 that were not previously considered; or 4) a new species is listed or critical habitat designated. Additional consultation as a result of any of the above conditions or for changes not covered in this consultation should occur before changes are made and/or finalized.

The Service's, Louisiana Ecological Services Office appreciates the opportunity to provide comments in the planning stages of this proposed project. If you have questions regarding this letter, please contact Ms. Karen Soileau (337-291-3132) of this office for further assistance.

Copies provided via electronic mail:

LDWF, Wildlife Diversity Program, Baton Rouge, LA

Literature Cited

U.S. Fish & Wildlife Service (USFWS). 2010. Biological Opinion for proposed Medium Diversion at White Ditch.