



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Deepwater Horizon Gulf Restoration Office
341 Greeno Road North, Suite A
Fairhope, Alabama 36532

In Reply Refer To:
FWS/R4/DH NRDAR

Memorandum

April 15, 2021

To: Field Supervisor, Lafayette Ecological Services Office, Louisiana

From: Assistant Gulf Restoration Manager, *Deepwater Horizon* Gulf Restoration Office

Subject: Biological Assessment for the Proposed Mid-Barataria Sediment Diversion, Louisiana

The proposed Mid-Barataria Sediment Diversion project will restore natural resources in Louisiana that were injured as a result of the *Deepwater Horizon* oil spill. The U.S. Army Corps of Engineers (Corps) is evaluating this project under the National Environmental Policy Act and will also request consultation under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*).

We are submitting a copy of the Biological Assessment prepared by the Corps and have reviewed the project in accordance with Section 7 of the ESA. We agree with and support the Corps' determination that the proposed project is likely to adversely affect pallid sturgeon (*Scaphirhynchus albus*) and may effect but is not likely to adversely affect piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), Eastern Black Rail (*Laterallus jamaicensis jamaicensis*), and West Indian manatee (*Trichechus manatus*). There will be no effect to piping plover critical habitat as no destruction or adverse modification of critical habitat will occur. There will be no effect to terrestrial sea turtles as no nesting occurs in the project area. Consultation will be initiated with the National Marine Fisheries Service for species under their jurisdiction or where ESA regulatory authority is shared as pertains to the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1461 *et seq.*), and Essential Fish Habitat.

We also reviewed the proposed project for impacts to bald eagles and migratory birds in accordance with the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668c) and the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712), and determined take would be avoided.

By this memo we are requesting initiation of informal and formal consultation for the proposed project. If you have questions or concerns regarding this request, please contact Michael Barron, at 251-421-7030 or michael_barron@fws.gov or Ben Frater, at 404-314-8815 or benjamin_fratr@fws.gov.

Attachment – Biological Assessment for the Mid-Barataria Sediment Diversion