

In Reply Refer To:

Sea Turtle Nesting and the Nesting Environment in Louisiana

April 25, 2023

Memorandum

To: Chief, Planning and Consultation Branch, Gulf Restoration Office, Fairhope, AL  
From: Field Supervisor, Louisiana Ecological Services Office, Lafayette, LA *Brigitte D. Fermin*  
Subject: Informal Consultation Request for Implementation of the Louisiana Trustee Implementation Group Project Characterizing Sea Turtle Nesting and the Nesting Environment in Louisiana in St. Bernard, Plaquemines, LaFourche, Terrebonne, and Cameron Parishes

This memorandum acknowledges our receipt of your memorandum on April 4, 2023. This response is in accordance with Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) (ESA). We have reviewed your proposed project(s) and concur with your April 5, 2023 determinations for endangered and threatened species, their critical habitat, and at-risk species (should they become listed). We based our concurrence on the justification below. Where more than one justification was applicable, multiple boxes are checked and additional comments are added.

Species-specific surveys were conducted and there are no endangered, threatened, or at-risk species or designated critical habitat on site. Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Endangered, threatened, and at-risk species are not known from and are not expected to occur within the vicinity of the proposed project. Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Appropriate avoidance and minimization measures have been included within the project description to ensure that any effects to listed species (or at-risk species should they become listed) are insignificant or discountable. Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Critical habitat is not present on site and does not occur within the vicinity of the proposed project. Comments:

\_\_\_\_\_  
\_\_\_\_\_

- Appropriate avoidance and minimization measures have been included within the project description to ensure PCEs and/or critical habitat will not be adversely modified or destroyed. Comments:

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- The proposed project is completely beneficial to the listed or at-risk species and/or critical habitat considered. Comments:

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Unless the project description changes, or new information reveals that the effects of the proposed action may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to the ESA is necessary.

If you have questions, please contact Amy Trahan at 337-291-3126 or email [amy\\_trahan@fws.gov](mailto:amy_trahan@fws.gov).



# 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 4, 2023

To: Field Supervisor, Ecological Services Office, Lafayette, LA

From: Compliance Supervisor, Deepwater Horizon Gulf Restoration Office

Subject: Informal Consultation Request for Implementation of the Louisiana Trustee Implementation Group Project Characterizing Sea Turtle Nesting and the Nesting Environment in Louisiana

After the Deepwater Horizon (DWH) oil spill, federal and state natural resource trustee agencies (Trustees) came together to assess the effects of the spill and plan for the restoration of injured natural resources. As part of the legal settlement reached with BP in 2016, the Trustees prepared a Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement (Final PDARP/PEIS), to provide the framework for DWH oil spill restoration across the Gulf. The Final PDARP/PEIS established Trustee Implementation Groups (TIGs) that develop specific plans for, developing, selecting, and implementing specific restoration actions under the Final PDARP/PEIS.

The Louisiana TIG includes five Louisiana state trustee agencies and four federal trustee agencies: the Louisiana Coastal Protection and Restoration Authority; the Louisiana Department of Natural Resources; the Louisiana Department of Environmental Quality; the Louisiana Oil Spill Coordinator's Office; the Louisiana Department of Wildlife and Fisheries; the United States Department of Commerce, represented by the National Oceanic and Atmospheric Administration; the United States Department of the Interior, represented by the United States Fish and Wildlife Service and National Park Service; the United States Department of Agriculture; and the United States Environmental Protection Agency.

The Louisiana TIG has developed the following project: *Characterizing Sea Turtle Nesting and the Nesting Environment in Louisiana*. We have reviewed this project in accordance with Section 7 of the Endangered Species Act (ESA) of 1973 as amended (16 U.S.S 1531-1544) and have made a May Affect, Not Likely to Adversely Affect determination for select species. For your information, a brief description of the project and species determinations are provided below in Tables 1 and 2. A detailed project description is contained in the attached Biological Evaluation (BE) (Attachment 1). We have also entered this project in the Information for Planning and Consultation system and generated a Consistency Letter (Attachment 2). This memo requests your concurrence with our determinations for the proposed project.

Within the BE form, we have also reviewed the proposed projects for impacts to bald eagles (*Haliaeetus leucocephalus*) in accordance with the Bald and Golden Eagle Protection Act of 1940 as amended (16 U.S.C. 668-668c), impacts to migratory birds in accordance with the Migratory Bird Treaty Act of 1918 as amended (16 U.S.C. 703-712), and impacts to West Indian manatee (*Trichechus manatus*) in accordance with the Marine Mammal Protection Act of 1972 as amended (16 U.S.C. 1361-1383b, 1401-1406, 1411-1421h) and we determined that take would be avoided.

To facilitate your response, should you concur with our determination, we have attached a template response letter (Attachment 3). If you have questions or concerns regarding this request, please contact Michael Barron, Fish and Wildlife Biologist, at 251-421-7030 or [michael\\_barron@fws.gov](mailto:michael_barron@fws.gov).

Attachments (3)

- BE form including project maps
- Consistency Letter
- Template response letter

Table 1. Brief description of the project

<b>Proposed Project</b>	<b>Brief Description</b>
<p><b>Characterizing Sea Turtle Nesting and the Nesting Environment in Louisiana</b></p>	<p>The proposed activities would compile and evaluate existing available nesting activity data and beach characteristics; initiate new surveys documenting sea turtle crawls and nests (aerial and ground) and beach characteristics data collection (e.g., beach slope and compaction; sand characteristics; inundation) designed to estimate sea turtle endpoints (distribution trends and breeding performance); and characterize nesting habitat contributed by Louisiana beaches.</p> <p>The activity includes three main tasks:</p> <ol style="list-style-type: none"> <li>1) Task 1, Desktop Component: Evaluate existing data sets and literature relevant to nesting sea turtles and beach characteristics in Louisiana and assess for data gaps.</li> <li>2) Task 2, Fieldwork Component: Conduct census of sea turtle nesting on all mainland and barrier island beaches in Louisiana as feasible.</li> </ol> <p>Anticipated survey methods: aerial surveys by fixed wing or float plane            Ground truth crawls and conduct nest assessments 3+days post hatching on foot where feasible            Anticipated timing/frequency: nest surveys March 1 – August 31; 1x/week/2 years; nest assessments September 1 – October 31; nests 3+ days post hatching /2 years as feasible</p> <ol style="list-style-type: none"> <li>3) Task 3, Fieldwork Component: Conduct an assessment of beach characteristics for mainland and barrier island beaches in Louisiana.</li> </ol> <p>Collect beach characteristics on all beaches where feasible 1 time in conjunction with ground truthing of nests in year 1 during sea turtle nesting season (March 1 – August            Sampling will include dynamic cone penetrometers to depths of 3 feet, installation of sensors (about the size of</p>

	<p>2 inch long by 1 inch wide) into the sand to assess moisture content, and temperature.</p> <p>No construction activities are included in this project.</p>
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Table 2. Summary of ESA determinations for proposed project.  
 (NLAA = May Affect, Not Likely to Adversely Affect; NE = No Effect)

<b>ESA Species Under USFWS Jurisdiction</b>	<b>Status</b>	<b>Quantifying Restoration Impacts on Wetland Ecosystem Health and Carbon Export</b>
West Indian Manatee <i>(Trichechus manatus)</i>	Threatened	NLAA
Green Sea Turtle <i>(Chelonia mydas)</i>	Endangered	NLAA
Kemp’s Ridley Sea Turtle <i>(Lepidochelys kempii)</i>	Endangered	NLAA
Loggerhead Sea Turtle <i>(Caretta caretta)</i>	Threatened	NLAA
Leatherback Sea Turtle <i>(Dermochelys coriacea)</i>	Candidate	NLAA
Piping Plover ( <i>Charadrius melodus</i> )	Threatened	NLAA
Red Knot ( <i>Calidris canutus rufa</i> )	Threatened	NLAA
Eastern Black Rail <i>(Laterallus jamaicensis ssp. jamaicensis)</i>	Threatened	NE

**Attachment 1**  
**Biological Evaluation Form**  
**Deepwater Horizon Oil Spill Restoration**  
U.S. Fish and Wildlife Service & National Marine Fisheries Service

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This form will be filled out by the Implementing Trustee and used by the regulatory agencies. The form will provide information to initiate informal Section 7 consultations under the Endangered Species Act (ESA) and may be used to document a No Effect determination or to initiate pre-consultation technical assistance.

It is recommended that this form also be completed to inform and evaluate additional needs for compliance with the following authorities: Migratory Bird Treaty Act (MBTA), Marine Mammal Protection Act (MMPA), Coastal Barrier Resources Act (CBRA), Bald and Golden Eagle Protection Act (BGEPA) and Section 106 of the National Historic Preservation Act (NHPA).

Further information may be required beyond what is captured on this form. Note: if you need additional space for writing, please attach pages as needed.

For assistance, please contact the compliance liaisons  
USFWS: Michael Barron at michael\_barron@fws.gov  
NMFS: Christy Fellas at christina.fellas@noaa.gov

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## A. Project Identification

Federal Action Agency(one or more):USFWS  NOAA  EPA  USDA

Implementing Trustee(s): DOI USGS

Contact Name: Dianne Ingram Phone: 251-517-8012 Email: Dianne\_Ingram@fws.gov

Project Name: Characterizing sea turtle nesting and the nesting environment in Louisiana

DIVER ID# not yet assigned TIG: Louisiana TIG Restoration Plan # n/a

## B. Project Phase

Please choose the box which best describes the project status, as proposed in this BE form, check ALL that apply:

Construction/Implementation  Planning/Conceptual  Engineering & Design

If "Engineering & Design" was selected, please describe the level of design that has been

completed and is available for review:

[Click here to enter text.](#)

## C. Project Location

### I. State and County/Parish of action area

There are desktop and field components for this activity. The generalized study area for the desktop component is represented in the map below and includes sandy shorelines and barrier islands in Louisiana's coastal zone. These habitats are within St. Bernard, Plaquemines, LaFourche, Terrebonne, and Cameron Parishes. The field component sites will be determined as part of the initial activity task. While exact field locations are not known at this time, effort will focus on the areas outlined in the map. Beaches and sandy shorelines used by nesting sea turtles and hatchlings.

### II. Latitude/Longitude for action area (Decimal degrees and datum [e.g., 27.71622°N, 80.25174°W NAD83])

[online conversion: <https://www.fcc.gov/encyclopedia/degrees-minutes-seconds-tofrom-decimal-degrees>]

29°12'34.61"N

89°58'41.16"W

### III. GIS files found in this [project folder](#) on sharepoint.





Map indicates survey locations for conducting aerial surveys, ground surveys and beach sampling to document sea turtle nesting along Louisiana’s Gulf of Mexico coastline.

**D. Existing Compliance Documentation**

**NEPA Documents**

Are there any **existing** draft or final NEPA analyses (not PDARP/PEIS) that cover all or part of this project?

YES

NO

Examples: .

-TIG Restoration Plan/EA or EIS (draft or final)

- USACE programmatic NEPA analysis
- USACE Clean Water Act individual permit for the project
- NEPA analysis provided by a federal agency that gave approval, funding or authorization

## Permits

Have any federal permits been obtained for this project, if so which ones and what is the permit number(s)?

YES  NO  Permit Number and Type:

Have any federal permits been applied for but not yet obtained, if so which ones and what is the permit number(s)?

YES  NO  Permit Number and Type:

If yes to any question above, please provide details in the text box (i.e. link to the NEPA document, or name of the document, year, lead federal agency, POC, copy of the permit or permit application, etc.). This is needed to check for consistency of the project scope across different sources and to facilitate the NEPA analysis. If you do not have a link, email the documents to the TIG representative for the Trustee designated as lead federal agency for the restoration plan.

Characterizing sea turtle nesting and the nesting environment in Louisiana MAIP (in progress).

Any documentation or information provided will be very helpful in moving your project forward.

Name of Person Completing this Form: Sarai Piazza

Name of Project Lead: Dianne Ingram

Date Form Completed: 2/13/2023

Date Form Updated: [Click here to enter text.](#)

## E. Description of Action Area

*Provide a description of the existing environment (e.g., topography, vegetation type, soil type, substrate type, water quality, water depth, tidal/riverine/estuarine, hydrology and drainage patterns, current flow and direction), and land uses (e.g., public, residential, commercial, industrial, agricultural). Describe all areas that may be directly or indirectly affected by the action. If critical habitat (CH) is not designated in the area, then describe any suitable habitat in the area.*

### a. Waterbody & Wetlands

*If applicable. Name the body of water, including wetlands (freshwater or estuarine), on which the project is located. If applicable, please describe water quality, depth, hydrology, current flow, and direction of flow.*

There are desktop and field components for this activity. The generalized study area for the desktop component is represented in the map and includes sandy shorelines and barrier islands in Louisiana's coastal zone. The field component will include 1) an aerial survey from fixed wing or float plane to document sea turtle crawls, 2) nest surveys conducted by foot during nesting season, and 3) sampling to characterize beaches and sandy shorelines which may support sea turtle nesting (beach slope/compaction, sediment characteristics and sand content, inundation). No in water work will be performed as part of field activities.

*Does the project area include a river or estuary?*

YES  NO

*If yes, please approximate the navigable distance from the project location to the marine environment.*

#### b. Existing Structures

*If applicable. Describe the current and historical structures found in the action area (e.g., buildings, parking lots, docks, seawalls, groynes, jetties, marina). If known, please provide the years of construction.*

none

#### c. Seagrasses & Other Marine Vegetation

*If applicable. Describe seagrasses found in action area. If a benthic survey was done, provide the date it was completed and a copy of the report. Estimate the species area of coverage and density. Attach a separate map showing the location of the seagrasses in the action area.*

None, work will be conducted on the beach and sandy environments

#### d. Mangroves

*If applicable. Describe the mangroves found in action area. Indicate the species found (red, black, white), the species area of coverage in square footage and linear footage along project shoreline. Attach a separate map showing the location of the mangroves in the action area.*

none

#### e. Corals

*If applicable. Describe the corals found in action area. If a benthic survey was done, provide the date it was completed and a copy of the report. Estimate the species area of coverage and density. Attach a separate map showing the location of the corals in the action area. [Click here to enter text.](#)*

n/a

**f. Uplands**

*If applicable. Describe the current terrestrial habitat in which the project is located (e.g. pasture, forest, meadows, beach and dune habitats, etc.).*

n/a

**g. Soils and Sediments**

*If applicable. Indicate topography, soil type, substrate type.*

Sandy beaches

**h. Land Use**

*If applicable. Indicate existing or previous land use activities (agriculture, dredge disposal, etc).*

none

**i. Marine Mammals**

*Please select the following marine mammals that could be present within the project area:*

Dolphins YES  NO

Whales YES  NO

Manatees YES  NO

*If applicable. Indicate and describe the species found in the action area. Use NMFS' Stock Assessment Reports (SARs) for more information, see <http://www.nmfs.noaa.gov/pr/sars/region.htm>*

Click here to enter text.

## F. Project Description

*1. Describe the Proposed Action/Project Objectives: What are you trying to accomplish and how with this project? Describe in detail the construction equipment and methods\*\* needed; long term vs. short term impacts; duration of short term impacts; dust, erosion, and sedimentation controls; restoration areas; if the project is growth-inducing or facilitates growth; whether the project is part of a larger project or plan; and what permits will need to be obtained.*

*Attach a separate map showing project footprint, avoidance areas, construction accesses, staging/laydown areas.*

*\*\*If construction involves overwater structures, pilings and sheetpiles, boat slips, boat ramps, shoreline armoring, dredging, blasting, artificial reefs or fishery activities, list the method here, but complete the next section(s) in detail.*

No construction activities are included in this project.

The proposed activities would compile and evaluate existing available nesting activity data and beach characteristics; initiate new surveys documenting sea turtle crawls and nests (aerial and ground) and beach characteristics data collection (e.g., beach slope and compaction; sand characteristics; inundation) designed to estimate sea turtle endpoints (distribution trends and breeding performance); and characterize nesting habitat contributed by Louisiana beaches.

The activity includes three main tasks:

- 1) Task 1, Desktop Component: Evaluate existing data sets and literature relevant to nesting sea turtles and beach characteristics in Louisiana and assess for data gaps.
- 2) Task 2, Fieldwork Component: Conduct census of sea turtle nesting on all mainland and barrier island beaches in Louisiana as feasible.
  - a. Anticipated survey methods:
    - i.aerial surveys by fixed wing or float plane
    - ii.ground truth crawls and conduct nest assessments 3+days post hatching on foot where feasible
  - b. Anticipated timing/frequency
    - i.nest surveys March 1 – August 31; 1x/week/2 years
    - ii.nest assessments September 1 – October 31; nests 3+ days post hatching /2 years as feasible
- 3) Task 3, Fieldwork Component: Conduct an assessment of beach characteristics for mainland and barrier island beaches in Louisiana.
  - a. Collect beach characteristics on all beaches where feasible 1 time in conjunction with ground truthing of nests in year 1 during sea turtle nesting season (March 1 – August 31). Sampling will include dynamic cone penetrometers to depths of 3 feet, installation of sensors (about the size of 2 inch long by 1 inch wide) into the sand to assess moisture content, and temperature.

II. Construction Schedule (What is the anticipated schedule for major phases of work? Include duration of in-water work.) Click here to enter text.

III. Specific In-Water and/or Terrestrial Construction Methods

Please check yes or no for the following questions related to in-water work and overwater structures

Does this project include in-water work?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Does this project include terrestrial construction?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Does this project include construction of an overwater structure?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Will fishing be allowed from this overwater structure?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Will wildlife observation be allowed from this overwater structure?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Will boat docking be allowed from this overwater structure?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

If this is a fishing pier, please provide the following information: public or private access to pier, estimated number of people fishing per day, plan to address hook and line captures of protected species, specific operating hours/open 24 hours, artificial lighting of pier (if any), number of fish cleaning stations, and number of pier attendants (if any).

n/a

Construction: Provide a detailed account of construction methods. It is important to include step-by-step descriptions of how demolition or removal of structures is conducted and if any debris will be moved and how. Describe how construction will be implemented, what type and size of materials will be used and if machines will be used, manual labor, or both. Indicate if work will be done from upland, barge, or both.)

- iii. Use of “Dock Construction Guidelines”? <https://media.fisheries.noaa.gov/dam-migration/dockkey2002.pdf> iv. Type of decking: Grated – 43% open space; Wooden planks or composite planks – proposed spacing? v. Height above Mean High Water (MHW) elevation?  
 vi. Directional orientation of main axis of dock?  
 vii. Overwater area (sq ft)?

n/a

b. Pilings & Sheetpiles: If this project includes installation of pilings or sheets, please provide answers to questions 1-11 listed below

1. Method of pile installation	
2. Material type of piles used	
3. Size (width) of piles/sheets	
4. Total number of piles/sheets	
5. Number of strikes for each single pile	

6. Number of strikes per hour (for a single pile)	
7. Expected number of piles to be driven each day	
8. Expected amount of time needed to drive each pile (minutes of driving activities)	
9. Expected number of sequential days spent pile driving	
10. Whether pile driving occurring in-water or on land	
11. Depth of water where piles will be driven	

c. *Marinas and Boat Slips (Describe the number and size of slips and if the number of new slips changes from what is currently available at the project. Indicate how many are wet slips and how many are dry slips. Estimate the shadow effect of the boats - the area (sqft) beneath the boats that will be shaded.)*

n/a

d. *Boat Ramp (Describe the number and size of boat ramps, the number of vessels that can be moored at the site (e.g., staging area) and if this is a public or private ramp. Indicate the boat trailer parking lot capacity, and if this number changes from what is currently available at the project.)*

n/a

e. *Shoreline Armoring (This includes all manner of shoreline armoring (e.g., riprap, seawalls, jetties, groins, breakwaters, etc.). Provide specific information on material and construction methodology used to install the shoreline armoring materials. Include linear footage and square footage. Attach a separate map showing the location of the shoreline armoring in the action area.*

n/a

f. *Dredging or digging (Provide details about dredge type (hopper, cutterhead, clamshell, etc.), maximum depth of dredging, area (ft<sup>2</sup>) to be dredged, volume of material (yd<sup>3</sup>) to be produced, grain size of material, sediment testing for contamination, spoil disposition plans, and hydrodynamic description (average current speed/direction)). If digging in the terrestrial environment, please describe fully with details about possible water jetting, vibration methods to install pilings for dune walk-over structure, or other methods. If using devices/methods/turtle relocation dredging to relocate sea turtles, then describe the methods here.*

n/a

g. *Blasting (Projects that use blasting might not qualify as "minor projects," and a Biological Assessment (BA) may need to be prepared for the project. Arrange a technical consultation meeting with NMFS Protected Resources Division to determine if a BA is necessary. Please include explosive weights and blasting plan.)*

n/a

h. *Artificial Reefs (Provide a detailed account of the artificial reef site selection and reef establishment decisions [i.e., management and siting considerations, stakeholder considerations, environmental considerations, long*

term maintenance plan (periodic clean-up of lost fishing gear/debris]), deployment schedule, materials used, deployment methods, as well as final depth profile and overhead clearance for vessel traffic. For additional information and detailed guidance on artificial reefs, please refer to the artificial reef program websites for the particular state the project will occur in.

n/a

- i. Fishery Activities (Describe any use of gear that could entangle or capture protected species. This includes activities that may enhance fishing opportunities (e.g. fishing piers) or be fishery/gear research related (e.g. involve trawl gear, gillnets, hook and line gear, crab pots etc)).

n/a

## G. NOAA Essential Fish Habitat (EFH)

If applicable, describe any designated Essential Fish Habitat within the project area in the text box and answer the questions below about habitat effects, conversions or benefits. If there is no EFH in your project area, enter N/A in the box below and move to section F.

Depending on the effects of your project, EFH consultation with NMFS may be required:

<https://www.fisheries.noaa.gov/southeast/consultations/essential-fish-habitat-consultations-southeast>

The only in water work associated with this project is a float plane landing or small water craft to access beaches. Water craft will avoid SAV at all times.

In this table, please use checkboxes to indicate which EFH eco-region(s) and habitat zone(s) in which the project is located. For more information about EFH Eco Regions see the references here:

<https://noaasdd.sharepoint.com/:f:/s/tcover/Euupi2PMtXdEqQtJSdKyq-wBdyb42ubMUUbMy7QsijqK7A?e=oYqSsb>

<https://portal.gulfcouncil.org/EFHreview.html>

<u>Gulf of Mexico EFH Eco-Region</u>	<u>Estuarine</u>	<u>Nearshore</u>	<u>Offshore</u>
<b>Eco-Region 1: South Florida</b> (Florida Keys north to Tarpon Springs, Florida)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Eco-Region 2: North Florida</b> (Tarpon Springs, Florida, north and west to Pensacola Bay, Florida)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Eco-Region 3: East Louisiana, Mississippi, and Alabama</b> (Pensacola Bay, Florida, west to the Mississippi River Delta)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Eco-Region 4: East Texas and West Louisiana</b> (Mississippi River Delta west and south to Freeport, Texas)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Eco-Region 5: West Texas</b> (Freeport, Texas south to the U.S./Mexico border)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

In this section, please indicate if your project has effects on EFH, either beneficial or adverse. For example, whether the project creates, improves, removes or converts habitat. Please describe the types of habitats that will be affected by the project, including number of acres.



Will this project affect EFH?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If no, please proceed to section X. (For example, your project is wholly upland or includes only desktop analysis tasks) If yes, please proceed to additional boxes below.	

Click here to enter text.

Will this project have beneficial effects to EFH?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If yes, please describe how your project will have beneficial effects the text box below:	

Click here to enter text.

Will this project have adverse effects on EFH?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
If yes, please describe what type of adverse effects your project will cause to EFH in the text bow below:	

Click here to enter text.

## H. NOAA ESA Species and Critical Habitat and Effects Determination Requested

*If your project occurs in a location that does not contain any listed NOAA species or designated Critical Habitats, please check the box below. If this box is checked, you may skip Section H. and proceed to Section I.*

This project occurs in a location that does not contain any listed NOAA species or designated Critical Habitats.

ESA effects have been accounted for under an existing consultation.

1. List all species, critical habitat, proposed species and proposed critical habitat that may be found in the action area. Species that do not currently occur in the action area (but are listed on county species lists) do not need to be listed in drop downs. For species not included in the drop down menu please add manually to the table.

2. Attach a separate map identifying species/critical habitat locations within the action area. For information on species and critical habitat under NMFS jurisdiction, visit:  
[http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/threatened\\_endangered/Documents/gulf\\_of\\_mexico.pdf](http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/Documents/gulf_of_mexico.pdf).

If Gulf sturgeon in marine waters may be affected, include them in the table here. If Gulf Sturgeon in

riverine/freshwater may be affected include them in the USFWS table below in Section H. If sea turtles in water may be affected include them in the table here. If sea turtles on land may be affected include them in the USFWS table below in Section H.

Species and/or Critical Habitat	CH Unit (if applicable)	Location (Sea turtles and Gulf Sturgeon <u>only</u> )	Determinations (see definitions below)	For "No Effect", please select justification.
Choose an item.		Choose an item.	Choose an item.	Choose an item.
Choose an item.		Choose an item.	Choose an item.	Choose an item.
Choose an item.		Choose an item.	Choose an item.	Choose an item.
Choose an item.		Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.
		Choose an item.	Choose an item.	Choose an item.

## Determination Definitions

Please make the appropriate choice in the drop down menus for both species and designated critical habitat listed in the first column.

**NE = no effect.** This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed, proposed, candidate species or designated/proposed critical habitat.

**NLAA = may affect, not likely to adversely affect.** This determination is appropriate when the proposed action is not likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat or there may be beneficial effects to these resources. Response requested is concurrence with the not likely to affect determination. This conclusion is appropriate when effects to the species or critical habitat will be wholly beneficial, discountable, or insignificant. Beneficial effects are contemporaneous positive effects without any adverse effects to the species or habitat. Insignificant effects relate to the size of the impact, while discountable effects are those that are extremely unlikely to occur. Based on best judgment, a person would not: (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur. If the Services concur in writing with the Action Agency's determination of "is not likely to adversely affect" listed species or critical habitat, the section 7 consultation process is completed.

**LAA = may affect, likely to adversely affect.** This determination is appropriate when the proposed action is likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat. Response requested for listed species is formal consultation for action with a likely to adversely affect determination, with a biological opinion as the concluding document. This conclusion is reached if any adverse effect to listed species or critical habitat may occur as a direct or indirect result of the proposed action or its interrelated or interdependent

actions, and the effect is not discountable or insignificant. In the event the overall effect of the proposed action is beneficial to the listed species or critical habitat, but may also cause some adverse effect on individuals of the listed species or segments of the critical habitat, then the determination is "likely to adversely affect." Any LAA determination requires formal section 7 consultation and will require additional information.

## I. USFWS Species and Critical Habitat and Effects Determination Requested

*If your project occurs in a location that does not contain any listed USFWS species or designated Critical Habitats, please check the box below. If this box is checked, you may skip Section I and proceed to Section J.*

This project occurs in a location that does not contain any listed USFWS species or designated Critical Habitats.

ESA effects have been accounted for under an existing consultation.

1. *List all species, critical habitat, proposed species and proposed critical habitat **generated by IPaC** that may be found in the action area. For species not included in the drop down menu please add manually to the table. The IPaC website can be found here: <https://ipac.ecosphere.fws.gov/>.*

2. *Attach a separate map identifying species/critical habitat locations within the action area. For information on species and critical habitat under NMFS jurisdiction, visit: [http://sero.nmfs.noaa.gov/protected\\_resources/section\\_7/threatened\\_endangered/Documents/gulf\\_of\\_mexico.pdf](http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/Documents/gulf_of_mexico.pdf).*

If Gulf sturgeon in riverine/freshwater waters may be affected, include them in the table here. If Gulf Sturgeon in marine waters may be affected include them in the NMFS table above in Section G. If sea turtles on land may be affected include them in the table here. If sea turtles in water may be affected include them in the NMFS table above in Section G.

Species and/or Critical Habitat	CH Unit (if applicable)	Location (Sea turtles and Gulf Sturgeon <b>only</b> )	Determinations (see definitions below)	For "No Effect", please select justification.
West Indian Manatee		Choose an item.	May Affect, Not Likely to Adversely Affect	
Loggerhead Sea Turtle		Terrestrial	May Affect, Not Likely to Adversely Affect	
Kemp's Ridley		Terrestrial	May Affect, Not Likely to Adversely Affect	
Green Sea Turtle		Terrestrial	May Affect, Not likely to Adversely Affect	
Leatherback Sea Turtle		Terrestrial	May Affect, Not Likely to Adversely Affect	
Piping Plover		Choose an item.	May Affect, Not Likely to Adversely Affect	

Red Knot		Choose an item.	May Affect, Likely to Adversely Affect	
Eastern Black Rail		Choose an item.	No Effect	No suitable habitat i action area

## Determination Definitions

Please make the appropriate choice in the drop down menus for both species and designated critical habitat

**NE = no effect.** This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed, proposed, candidate species or designated/proposed critical habitat.

**NLAA = may affect, not likely to adversely affect.** This determination is appropriate when the proposed action is not likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat or there may be beneficial effects to these resources. Response requested is concurrence with the not likely to affect determination. This conclusion is appropriate when effects to the species or critical habitat will be wholly beneficial, discountable, or insignificant. Beneficial effects are contemporaneous positive effects without any adverse effects to the species or habitat. Insignificant effects relate to the size of the impact, while discountable effects are those that are extremely unlikely to occur. Based on best judgment, a person would not: (1) be able to meaningfully measure, detect, or evaluate insignificant effects; or (2) expect discountable effects to occur. If the Services concur in writing with the Action Agency's determination of "is not likely to adversely affect" listed species or critical habitat, the section 7 consultation process is completed.

**LAA = may affect, likely to adversely affect.** This determination is appropriate when the proposed action is likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat. Response requested for listed species is formal consultation for action with a likely to adversely affect determination, with a biological opinion as the concluding document. This conclusion is reached if any adverse effect to listed species or critical habitat may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable or insignificant. In the event the overall effect of the proposed action is beneficial to the listed species or critical habitat, but may also cause some adverse effect on individuals of the listed species or segments of the critical habitat, then the determination is "likely to adversely affect." Any LAA determination requires formal section 7 consultation and will require additional information.

## J. Effects of the Proposed Project to the Species and Actions to Reduce Impacts

*NOTE: Species selected as "No Effect" with justification in tables above do not need to be addressed in Section I or J.*

*I. Explain the potential beneficial and adverse effects to each species listed above. Describe what, when, and how the species will be impacted and the likely response to the impact. Be sure to include direct, indirect, and cumulative impacts and where possible, quantify effects.*

*If species are present (or potentially present) and will not be adversely affected describe your rationale. If species are unlikely to be present in the general area or action area, explain why. This justification provides documentation for your administrative record, avoids the need for additional correspondence regarding the species, and helps expedite review.*

West Indian manatee: May be present where plane or small watercraft are operating for this activity but is unlikely. The USFWS Standard Manatee in-water conditions would be employed. As such the activity is not likely to adversely affect West Indian Manatees.

Eastern Black Rail: This secretive marsh bird is not in the project area. No suitable habitat.

Piping Plover and Red Knot: These species may be present but project activities are not likely to adversely affect the species as data collection is non-destructive in nature. If the species is observed field personnel will stop activities until the individual birds leave the area on their own volition.

Sea Turtles: Tasks 2a and 2b will occur during nesting season. Nest marking will follow FL guidelines section 2 page 2-14, no invasive activities will occur. Surveyors will hold USFWS permit. Task 3 will occur 3 or more days post-hatching and will follow FL guidelines section 2 page 2-19 for nest assessments. Surveyors will hold USFWS permit. See attached FI guidelines and USFWS permit example.

*II. Explain the actions to reduce adverse effects to each species listed above. For each species for which impacts were identified, describe any Conservation Measures and/or BMPs that will be implemented to avoid or minimize the impacts. Conservation Measures and/or BMPs are designed to avoid or minimize effects to listed species and critical habitats or further the recovery of the species under review. Conservation Measures and/or BMPs are considered part of the proposed action and their implementation is required. Any changes to, modifications of, or failure to implement these conservation measures may result in a need to reinitiate this consultation.*

***Frequently Recommended Conservation Measures and BMPs: This checklist provides standard practices recommended by NMFS and USFWS. Please select any BMPs that will be implemented:***

- |  |
|--|
| <input checked="" type="checkbox"/> <b>USFWS Standard Manatee In Water Conditions</b>                                      |
| <input checked="" type="checkbox"/> <b>NMFS Protected Species Construction Conditions (2021)<sup>1</sup></b>               |
| <input checked="" type="checkbox"/> <b>NMFS Measures for Reducing the Entrapment Risk to Protected Species<sup>1</sup></b> |
| <input checked="" type="checkbox"/> <b>NMFS Vessel Strike Avoidance Measures (2021)<sup>1</sup></b>                        |

**Additional BMPs or Conservation Measures**

Chapter 6 of the PDARP included an important appendix (6.A) of best practices, see information starting on page 6-173. [http://www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/Chapter-6\\_Environmental-Consequences\\_508.pdf](http://www.gulfspillrestoration.noaa.gov/sites/default/files/wp-content/uploads/Chapter-6_Environmental-Consequences_508.pdf)

Use the box below to indicate which best management practices or conservation measures you'll be using in your project (that were not listed in Section I above)

n/a. Applicable measures are selected in the box above.

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<sup>1</sup> <https://www.fisheries.noaa.gov/southeast/consultations/regulations-policies-and-guidance>

## K. Effects to Critical Habitats and Actions to Reduce Impacts

NOTE: Species selected as “No Effect” with justification in table do not need to be addressed in Section I or J.

I. Explain the potential beneficial and adverse effects to critical habitat listed above. Describe what, when, and how the critical habitat will be impacted and the likely response to the impact. Be sure to include direct, indirect, and cumulative impacts to physical and biological features, and where possible, quantify effects (e.g. acres of habitat, miles of habitat).

Describe your rationale if designated or proposed critical habitats are present and will not be adversely affected.

II. Explain the actions to reduce adverse effects to critical habitat listed above. For critical habitat for which impacts were identified, describe any conservation measures (e.g. BMPs) that will be implemented to avoid or minimize the impacts. Conservation measures are designed to avoid or minimize effects to listed species and critical habitats or further the recovery of the species under review. Conservation measures are considered part of the proposed action and their implementation is required. Any changes to, modifications of, or failure to implement these conservation measures may result in a need to reinstate this consultation.

**The project will not alter any of the constituent components of the habitat.**

## L. Marine Mammals

I. The Marine Mammal Protection Act prohibits the taking (including disruption of behavior, entrapment, injury, or death) of all marine mammals (e.g., whales, dolphins, manatees). However, the MMPA allows limited exceptions to the take prohibition if authorized, such as the incidental (i.e., unintentional but not unexpected) take of marine mammals. The following questions are designed to allow the Agencies to quickly determine if your action has the potential to take marine mammals. If the information provided indicates that incidental take is possible, further discussion with the Agencies is required.

Is your activity occurring in or on marine or estuarine waters?  NO  YES

If yes, is your activity likely to cause large-scale, ecosystem level impacts to the quality (e.g. salinity, temperature) of marine or

estuarine waters?  NO  YES

II. If Yes, describe activities further using checkboxes. Does your activity involve any of the following:

NO	YES	ACTIVITY
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) Use of active acoustic equipment (e.g., echosounder) producing sound below 200 kHz
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) In-water construction or demolition
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Temporary or fixed use of active or passive sampling gear (e.g., nets, lines, traps; turtle relocation trawls)

- d) In-water Explosive detonation
- e) Aquaculture
- f) Restoration of barrier islands, levee construction or similar projects
- g) Fresh-water river diversions
- h) Building or enhancing areas for water-related recreational use or fishing opportunities (e.g. fishing piers, bridges, boat ramps, marinas)
- i) Dredging or in-water construction activities to change hydrologic conditions or connectivity, create breakwaters and living shorelines, etc.
- j) Conducting driving of sheet piles or pilings
- k) Use of floating pipeline during dredging activities

III. If you checked “Yes” to any of the activities immediately above or the activity could impact the quality of marine or estuarine waters, please describe the nature of the activities in more detail or indicate which section of the form already includes these descriptions. See the NOAA Acoustic Guidance for more information: <http://www.nmfs.noaa.gov/pr/acoustics/faq.htm>

The only in estuarine waters associated with this project is navigating from the boat launch to the marsh monitoring locations. Small watercraft and airboats may be used to access the sites through navigable canals and bayous.

IV. *Frequently Recommended BMPs for marine mammals (manatees are covered in Section I above): This checklist provides standard BMPs recommended by NOAA. Please select any BMPs that will be implemented:*

<input checked="" type="checkbox"/>	NMFS Southeast U.S. Marine Mammal and Sea Turtle Viewing Guidelines <sup>2</sup>
<input checked="" type="checkbox"/>	NMFS Protected Species Construction Conditions (2021) <sup>3</sup>

<input checked="" type="checkbox"/>	NMFS Measures for Reducing the Entrapment Risk to Protected Species (2012) <sup>3</sup>
<input checked="" type="checkbox"/>	NMFS Vessel Strike Avoidance Measures and Reporting for Mariners (2021) <sup>3</sup>
<input checked="" type="checkbox"/>	NMFS Reproducing and posting outreach signs: Dolphin Friendly Fishing Tips sign, Don’t Feed Wild Dolphins sign <sup>4</sup>

If not listed above, please describe any additional BMPs or conservation measures that may be implemented for marine mammals. [Click here to enter text.](#)

## M. Bald Eagles

Are bald eagles present in the action area?  NO  YES

<sup>2</sup> <https://www.fisheries.noaa.gov/topic/marine-life-viewing-guidelines>

<sup>3</sup> <https://www.fisheries.noaa.gov/southeast/consultations/regulations-policies-and-guidance>

<sup>4</sup> <https://www.fisheries.noaa.gov/southeast/consultations/protected-species-educational-signs>

If YES, the following conservation measures should be implemented:

1. If bald eagle breeding or nesting behaviors are observed or a nest is discovered or known, all activities (e.g., walking, camping, clean-up, use of a UTV, ATV, or boat) should avoid the nest by a minimum of 660 feet. If the nest is protected by a vegetated buffer where there is *no* line of sight to the nest, then the minimum avoidance distance is 330 feet. This avoidance distance shall be maintained from the onset of breeding/courtship behaviors until any eggs have hatched and eaglets have fledged (approximately 6 months).
2. If a similar activity (e.g., driving on a roadway) is closer than 660 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated activity.
3. If a vegetated buffer is present and there is no line of sight to the nest and a similar activity is closer than 330 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated activity.
4. In some instances, activities conducted at a distance greater than 660 feet of a nest may result in disturbance. If an activity appears to cause initial disturbance, the activity shall stop and all individuals and equipment will be moved away until the eagles are no longer displaying disturbance behaviors.

Will you implement the above measures?  NO  YES

If these measures cannot be implemented, then you must contact the Service's Migratory Bird Permit Office.  
Texas – (505) 248-7882 or by email: [permitsR2MB@fws.gov](mailto:permitsR2MB@fws.gov)  
Louisiana, Mississippi, Alabama, Florida – (404) 679-7070 or by email: [permitsR4MB@fws.gov](mailto:permitsR4MB@fws.gov)

## N. Migratory Bird Treaty Act

In accordance with the Migratory Bird Treaty Act of 1918 as amended (16 U.S.C. 703-712), will this project cause the take of any birds covered under this act?  NO  YES

If YES, please explain and indicate if the pertinent permits will be or have been obtained:

Project proponent will review the appropriate BMPs and CMs found at this website and implement the appropriate measures to the extent practicable:

<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

NO  YES

If NO, please explain: Not relevant as Migratory Birds will not be 'taken' for this activity.

---

## O. Request Approval for Use of NMFS PDCs for This Project

Complete this section only if your project qualifies for streamlined ESA consultation under the ESA Framework Programmatic Biological Opinion completed by NMFS on February 10, 2016.

To be eligible for streamlined ESA consultation with NMFS, you must implement all Project Design Criteria (PDCs)



applicable to your project. Check “yes” for PDC categories that apply to the proposed project, and [request PDC checklist from NMFS](#).

NO	YES	ACTIVITY
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Oyster Reef Creation and Enhancement</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Marine Debris Removal</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Construction of Living Shorelines</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Marsh Creation and Enhancement</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Construction of Non-Fishing Piers</b>

## P. Submitting the BE Form

**We request that all BE forms and consultation materials be placed on Sharepoint for review.**

Upon receipt, we will conduct a preliminary review and provide any comments and feedback, including any requests for modifications or additional information.

If modifications or additional information is necessary, we will work with you until the Biological Evaluation form is considered complete. Once complete, we will use the Biological Evaluation form to initiate appropriate consultations.

Questions may be directed to:

### NMFS ESA § 7 Consultation

Christy Fellas, National Oceanic Atmospheric Administration

Email: [Christina.Fellas@noaa.gov](mailto:Christina.Fellas@noaa.gov)

Phone: 727-551-5714

### USFWS ESA § 7 Consultation

Michael Barron, Department of the Interior

Email: [michael\\_barron@fws.gov](mailto:michael_barron@fws.gov)

Phone: 251-421-7030



## Attachment 2

# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Louisiana Ecological Services Field Office  
200 Dulles Drive  
Lafayette, LA 70506  
Phone: (337) 291-3100 Fax: (337) 291-3139



In Reply Refer To:

March 31, 2023

Project code: 2023-0063076

Project Name: Characterizing Seat Turtle Nesting and the Nesting Environment in Louisiana

IPaC Record Locator: 782-124451837

Subject: Consistency letter for the project named 'Characterizing Seat Turtle Nesting and the Nesting Environment in Louisiana' for specified threatened and endangered species that may occur in your proposed project location pursuant to the Louisiana Endangered Species Act project review and guidance for other federal trust resources determination key (Louisiana DKey).

Dear Michael Barron:

The U.S. Fish and Wildlife Service (Service) received on March 31, 2023 your effects determination(s) for the 'Characterizing Seat Turtle Nesting and the Nesting Environment in Louisiana' (the Action) using the Louisiana DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers, and the assistance in the Service's Louisiana DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Eastern Black Rail ( <i>Laterallus jamaicensis</i> ssp. <i>jamaicensis</i> )	Threatened	NLAA
Hawksbill Sea Turtle ( <i>Eretmochelys imbricata</i> )	Endangered	May affect
Kemp's Ridley Sea Turtle ( <i>Lepidochelys kempii</i> )	Endangered	May affect
Leatherback Sea Turtle ( <i>Dermochelys coriacea</i> )	Endangered	May affect
Loggerhead Sea Turtle ( <i>Caretta caretta</i> )	Threatened	May affect
Piping Plover ( <i>Charadrius melodus</i> )	Threatened	NLAA
Red Knot ( <i>Calidris canutus rufa</i> )	Threatened	NLAA
West Indian Manatee ( <i>Trichechus manatus</i> )	Threatened	NLAA

Consultation with the Service is not complete. Further consultation or coordination with the

Louisiana Ecological Services Office is necessary for those species with a determination of “may affect” listed above. Please contact our office at 337-291-3100 or [lafayette@fws.gov](mailto:lafayette@fws.gov) to discuss methods to avoid or minimize potential adverse effects to those species.

Please Note: If the Federal Action may impact bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act (BGEPA) (54 Stat. 250, as amended, 16 U.S.C. 668a-d) may be required. Please contact Ulgonde Kirkpatrick (phone: 321/972-9089, e-mail: [ulgonda\\_kirkpatrick@fws.gov](mailto:ulgonda_kirkpatrick@fws.gov)) with any questions regarding potential impacts to bald or golden eagles.

## Action Description

You provided to IPaC the following name and description for the subject Action.

### 1. Name

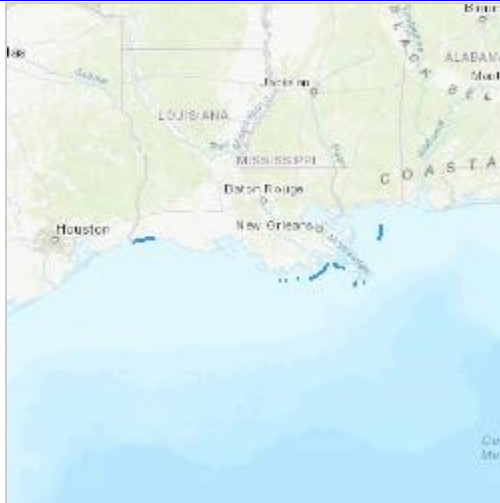
Characterizing Seat Turtle Nesting and the Nesting Environment in Louisiana

### 2. Description

The following description was provided for the project 'Characterizing Seat Turtle Nesting and the Nesting Environment in Louisiana':

Project will occur in the Louisiana coastal zone of St. Bernard, Plaquemines, LaFourche, Terrebonne, and Cameron Parishes. The project will consist of the following: 1) aerial surveys from fixed wing or float plane to document turtle crawls; 2) nest surveys conducted by foot during nesting season; and 3) sampling to characterize beaches and sandy shorelines which may support sea turtle nesting (beach slope/compaction, sediment characteristics and sand content, inundation). No in water work will be performed as part of field activities.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.051516749999998,-90.86211202646223,14z>



## QUALIFICATION INTERVIEW

1. Is the action authorized, funded, or being carried out by a Federal agency? Yes
2. Is the action authorized, funded, or being carried out by the:
  - d. Other
3. Please identify your agency or organization type:
  - a. Federal agency
4. Have you determined that the project will have "no effect" on federally listed species? (If unsure select "No")

No
5. [Hidden Semantic] Does the project intersect the piping plover AOI? Automatically

answered

**Yes**

6. Will the proposed project involve human disturbance or ground disturbance (such as foot traffic, vehicles, tracked equipment, excavating, grading, placing fill material, etc.)? **Yes**
7. Will the proposed project result in impacts to piping plover foraging habitat (intertidal beaches, sand, mud, or algal flats, between annual low tide and annual high tide) or roosting habitat (unvegetated or sparsely vegetated dune systems, sand, mud, or algal flats above high tide)?

**No**

8. [Hidden Semantic] Does the project intersect the red knot AOI? Automatically answered

**Yes**

9. [Semantic (same answer as "10")] Will the proposed project result in impacts to red knot foraging habitat (intertidal beaches, sand, mud, or algal flats, between annual low tide and annual high tide) or roosting habitat (unvegetated or sparsely vegetated dune systems, sand, mud, or algal flats above high tide)?  
Automatically answered

**No**

10. [Hidden Semantic] Does the project intersect the eastern black rail AOI? Automatically answered

**Yes**

11. Will the proposed project involve human disturbance or ground disturbance (such as foot traffic, vehicles, tracked equipment, excavating, grading, placing fill material, etc.)?

**Yes**

12. Does the action consist of either fire management, grazing, haying, mowing and/or other mechanical treatment activities?

**No**

13. Will the project result in changes to wetland hydrology (i.e. via new construction or change in existing operation of water control structures, waterbody diversion, major water withdrawals, levee construction, etc.)?

**No**

14. Will the project directly impact suitable eastern black rail nesting habitat (shallow inundated wetlands containing mesic to hydric soils with dense herbaceous plant cover) or foraging habitat (wetland-upland transition zones with dense cover and 1-3 cm deep pools) and/or roosting habitat (elevated wetlands that allow for refugia from high water events and nest to be elevated above water level)?

**No**

15. [Hidden Semantic] Does the project intersect the west indian manatee AOI? Automatically answered

Yes

16. (Semantic) Is the project located within the manatee consultation zone, excluding the Mississippi River? Automatically answered

Yes

17. Is the project footprint entirely on land?

No

18. Is the water depth within the project greater than 2 feet (at mean high tide)?

Yes

19. Will the project occur during the months of June through November? Yes

20. Will the following Standard Manatee [Conditions](#) for in-Water Activities be included within the project design? Yes

21. [Hidden Semantic] Does the project intersect the sea turtle AOI? Automatically answered

Yes

22. Will the project result in long-term impacts (effects lasting up to 6 months or more) to sea turtle nesting habitat (sandy beaches)?

No

23. Will the project occur during the sea turtle nesting season (April 15 – October 31)?

Yes

24. [Hidden Semantic] Does the project intersect the pink mucket mussel AOI ?

Automatically answered

No

25. [Semantic] Does the project intersect the Northern Long-eared bat AOI? Automatically answered

No

26. (Semantic) Does the project intersect the Louisiana black bear Range? Automatically answered

No

## **IPAC USER CONTACT INFORMATION**

Agency: U.S. Fish and Wildlife Service

Name: Michael Barron

Address: 341 N. Greeno Road

City: Fairhope

State: AL

Zip: 36532

Email: michael\_barron@fws.gov

Phone: 2514217030