

Volume IV

APPENDIX C:

NOAA Fisheries Service Coordination Letter

(Response to NOAA Comments from the Letter dated July 1, 2010, are presented in Appendix G)

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701

February 20, 2009 F/SER46/RH:jk
225/389-0508

Dr. William P. Klein
Environmental Compliance and Analysis Branch
New Orleans District
Department of the Army, Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Dr. Klein:

NOAA's National Marine Fisheries Service (NMFS) has received the public notice advertising a scoping meeting to be held for the Louisiana Coastal Area (LCA), Louisiana; Small Diversion at Convent/Blind River project. According to the public notice, the U.S. Army Corps of Engineers intends to undertake a feasibility study and prepare a supplemental environmental impact statement (SEIS) to evaluate the impacts and benefits of constructing a small diversion from the Mississippi River into the Blind River through a control structure to be installed near Convent, in St. James Parish, Louisiana.

The objective of the river diversion is to introduce fresh water, fine sediments, and nutrients into the southeast portion of the Maurepas swamp. Such nutrients and sediment would help offset wetland degradation processes currently affecting the bottomland hardwood and cypress swamp habitats in the project area. The Corps of Engineers has requested the public and natural resource agencies provide recommendations on: 1) the environmental problems and needs that should be addressed in the document; 2) the important resources in the project area; and, 3) reasonable restoration alternatives to be considered in the feasibility study and SEIS.

Aquatic and wetland habitats in the study area provide foraging and nursery habitat for a few economically important estuarine-dependent fishery species that use fresh water habitats in the project vicinity. Those species include blue crab, striped mullet and gulf menhaden. NMFS recommends the SEIS include a section titled "Fishery Resources" that identify the fisheries resources of the study area, including these species, and describe the potential impacts and benefits to those resources that could be caused by the proposed river diversion. Potential adverse impacts include displacement of fishery species from some areas due to extreme turbidity or cold water temperatures. Descriptions also should include the potential for algal blooms in and eutrophication of waterways in the project area depending on the amount and rate of nutrient assimilation by wetlands after repeated or long term nutrient loading. Potential project benefits could result from increasing the health of bottomland hardwood and swamp habitats supportive of marine fishery resources.



We appreciate the opportunity to identify resources that should be evaluated in the SEIS. If you have any questions regarding comments and recommendations provided herein, please contact Mr. Richard Hartman of our Louisiana Habitat Conservation Division office at (225) 389-0508, ext 203.

Sincerely,



for

Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

c:
FWS, Lafayette
EPA, Dallas
LA DNR, Consistency
F/SER46, Swafford
Files



UNITED STATES DEPARTMENT OF COMMERCE
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263 13th Avenue South
St. Petersburg, Florida 33701

July 1, 2010 F/SER46/KC:jk
225/389-0508

Ms. Joan M. Exnicios, Chief
Environmental Planning and Compliance Branch
Planning, Programs, and Management Division
New Orleans District, U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Ms. Exnicios:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the Draft Integrated Feasibility Study and Supplemental Environmental Impact Statement for the Louisiana Coastal Area Small Diversion at Convent/Blind River, in St. James Parish, Louisiana. The document was transmitted for our review by your letter dated May 21, 2010. Your letter indicates that submittal of the document to NMFS initiates essential fish habitat consultation as required by provisions of the Magnuson-Stevens Fishery Conservation and Management Act. It should be noted that NMFS has agreed to serve as a cooperating agency on this project under provisions of the National Environmental Policy Act.

The overall study area is located in the vicinity of Romeville, Louisiana. The tentatively selected plan (Alternative 2) calls for construction of a water diversion system, near Romeville, with the capacity to divert 3,000 cubic feet per second of Mississippi River water into Maurepas Swamp to facilitate maintenance and rebuilding of the swamp's ecosystem. Specific components of the project include a gated culvert system and transfer canal, restoration and improvement of 160 existing berm cuts, addition of 30 new 500-foot-wide berm cuts, construction of up to six water control structures at strategic locations in the swamp, and addition of three new culverts under U.S. Highway 61. The tentatively selected plan is estimated to improve and protect 21,369 acres of bald cypress-tupelo swamp projected to be lost over the 50-year period of analysis, including: 1) 3,300 acres of bald cypress-tupelo swamp that would convert to marsh in 20 to 30 years; 2) 7,900 acres of bald cypress-tupelo swamp that would convert to marsh in 30 to 50 years; and 3) 10,140 acres of bald cypress-tupelo swamp that would convert to marsh in more than 50 years. The project would negatively impact 53 acres of forested wetland and is estimated to have a net value of 6,421 Average Annual Habitat Units over the 50-year period of analysis.



The enclosed comments are provided in accordance with provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and 600.920 of the Magnuson-Stevens Fishery Conservation and Management Act.

Related correspondence should be directed to the attention of Mr. Richard Hartman at the NMFS Southeast Region, Habitat Conservation Division office at: c/o LSU, Baton Rouge, Louisiana 70803-7535. He may be contacted by telephone at (225) 389-0508, ext. 203 or by e-mail at richard.hartman@noaa.gov. The NMFS Protected Resources Division is responsible for issues pertaining to threatened and endangered species and marine mammals. The contact person for that Division is Mr. David Bernhart. He may be contacted at the letterhead address, by telephone at (727) 824-5312, or by e-mail at david.bernhart@noaa.gov.

Sincerely,



Miles M. Croom
Assistant Regional Administrator
Habitat Conservation Division

Enclosure

cc:

FWS, Lafayette, Walther
EPA, Dallas, Ettinger
LA DNR, Consistency, Ducote
F/SER46, Swafford
F/SER4, Dale
NOAA PPI, Reid
Files

**NOAA's National Marine Fisheries Service (NMFS) Comments on the Draft
Supplemental Environmental Impact Statement (SEIS) for the Louisiana Coastal
Area (LCA)**

**Small Diversion at Convent/Blind River, St. James Parish, Louisiana
Authorized under the 2007 Water Resources Development Act**

Essential Fish Habitat (EFH) Consultation

Based on our review of the SEIS, NMFS has determined the document and related coordination with the NMFS fulfills consultation requirements contained in section 600.920 of the essential fish habitat (EFH) rules and regulations of the Magnuson-Stevens Fishery Conservation and Management Act.

According to the SEIS, Lake Maurepas, which adjoins the project area, is designated EFH for red drum (*Sciaenops ocellatus*) and white shrimp (*Litopenaeus setiferus*). Although Lake Maurepas is technically located outside of the study area, the SEIS notes that some shift and possible decrease in "optimal habitat" for red drum and white shrimp is possible with the tentatively selected plan. The SEIS indicates the level of change and adverse impact, if any, to EFH would be minor; while considerable benefit to EFH is possible since ongoing conversion of wetlands to open water would be reduced. Best management practices, environmental monitoring, and adaptive management would be implemented with the preferred plan.

Based on the preceding, NMFS has no EFH conservation recommendations to offer at this time. Provided that the project is completed and operated as proposed, no further consultation is required.

General comments

The SEIS for the proposed action is generally well written and sufficiently describes the affected environment and environmental impacts. The information presented supports the determination that the selected plan is environmentally acceptable and would promote the long-term recovery and health of one of Louisiana's largest tracts of freshwater swamp and a major ecological component of the Lake Pontchartrain Basin.

Specific comments

SECTION 1.0 STUDY INFORMATION

1.5 Prior Reports and Existing Projects

1.5.3 Existing Water Projects

1.5.3.3 Coastal Restoration Projects

Page 1-15, lines 37-42 According to this section, the LCA Small Diversion at Hope Canal consists of diverting approximately 1,500 cubic feet per second from the

Mississippi River into the Hope Canal at Garyville, Louisiana. Information is needed concerning the duration and seasonal timing of the diversion period.

SECTION 3.0 ALTERNATIVES

3.3 Preliminary Alternatives Plans

3.3.1 Development of Preliminary Alternative Plans

CB-6 Obtain Total Maximum Daily Load (TMDL) waiver for diversion into Blind River

Page 3-27, lines 26-30 According to this section, the overall project has an extensive monitoring plan and includes costs for adaptive management “to assure that the overall water quality in the Blind River is not degraded.” Also, as noted in section 3.7.7 (page 3-104, line 28) water quality impairment is a potential risk endpoint of the project. NMFS recommends that both the final SEIS and the Monitoring and Adaptive Management Plan (MAMP) (Appendix I) clearly state that water quality in Blind River and Lake Maurepas will be monitored and that management measures will be implemented when needed to remedy project-related water quality degradation.

Also according to this section: “The State agencies will work together to monitor the diversion operation to assist with the overall environmental improvement of the Blind River.” This section should be modified to note that federal resource agencies, including the NMFS and U.S. Fish and Wildlife Service (FWS), would be consulted with regard to environmental monitoring and adaptive management measures needed to protect and restore fish and wildlife resources and habitat, including EFH in Lake Maurepas.

3.7 Plan Selection – Tentatively Selected Plan

3.7.3 Components

Page 3-95, lines 12-17 NMFS recommends the description for the control structures in the selected plan include a map of the project area illustrating the expected locations of the various features including the control structures. NMFS recommends the map be accompanied by a diagram depicted the design plans and specifications of the control structures, as well as a detailed operational scheme.

3.7.6 Operations and Maintenance Considerations

Page 3-99, lines 35-38 NMFS understands the need to provide access to the maintenance canal; however, the final SEIS should address the possibility that mowing be limited to one side of the canal and shrubs and trees be allowed to grow on the unmowed bank. Establishment of trees along one side of the canal would reduce maintenance and disturbance, lessen water temperature increases in summer, and provide cover for wildlife.

Page 3-100, lines 24-25 The diversion flow period (six to nine months per year) should be identified and discussed, as appropriate, throughout the final SEIS. Currently, the diversion flow period is not mentioned elsewhere in the document.

Page 3-101, lines 6-10 NMFS recommends this section be modified to note that planned maintenance excavation within the transmission canal will be coordinated with state and Federal resource agencies. Coordination should address beneficial use of excavated material, excavation and disposal methodologies, timing, and other considerations as needed to protect fish and wildlife.

3.7.7 Monitoring Plan and Adaptive Management

Pages 3-101 through 3-104 The MAMP is an essential component of the project. Environmental monitoring is needed to assess project related impacts and establish operational changes needed to protect and restore EFH and other habitat and resources. By letter dated April 7, 2010, the FWS, in consultation with NMFS, provided detailed comments concerning needed changes in the project's MAMP. NMFS recommends the MAMP be modified in accordance with FWS and NMFS recommendations. Also, as noted below (see "APPENDIX I"), the MAMP should be modified to include performance measures that call for water quality monitoring and adaptive management to remedy water quality problems in Blind River if they should occur.

The MAMP also should include water quality monitoring and adaptive management as needed to remedy potential water quality problems in Lake Maurepas if such problems occur. Depending on the amount and rate of nutrient assimilation by wetlands after repeated or long term nutrient loading, NMFS is concerned the proposed diversion of river water could create algal blooms in and eutrophication of waterways in the project area. The MAMP should identify sampling locations, frequency, and duration for measuring dissolved oxygen levels in Lake Maurepas, which is designated as EFH for red drum and white shrimp, with particular emphasis on collecting data during the summer months. Potential adverse impacts to EFH in Lake Maurepas also include displacement of these designated fishery species from the area due to extreme turbidity and salinity changes, as well as colder water temperatures. These water quality parameters should be included in the MAMP for the lake.

Page 3-101, line 27 The feasibility level MAMP is provided in Appendix I, not Appendix J, as stated.

3.8 Risk and Uncertainty

3.8.2 Environmental Uncertainties

Page 3-113, lines 9-21 This section should be expanded to note that uncertainty exists regarding salinity change and nutrient input into Blind River and other downstream waters and that this uncertainty will be addressed through project monitoring and adaptive management.

Page 3-114, lines 19-24 NMFS supports plans to conduct salinity monitoring. As noted in comments below (APPENDIX I), the final SEIS should acknowledge that salinity

monitoring will be conducted in the lower reaches of Blind River and, if warranted, the southeastern portion of Lake Maurepas.

This section also should be expanded to note that uncertainty exists regarding the need for increases in frequency and duration of operational closures of the project area water control structures and that this uncertainty will be addressed through project monitoring and adaptive management.

SECTION 4.0 AFFECTED ENVIRONMENT

4.2 Significant Resources

4.2.10 Essential Fish Habitat (EFH)

Page 4-82, lines 12-13 According to this section, the February 20, 2009, letter from NMFS states that no EFH exists in the project area. However, NMFS did state that Lake Maurepas is designated as EFH for red drum and white shrimp. NMFS recommended water quality impacts be modeled to evaluate the potential for the proposed freshwater diversion to influence changes in salinity, water temperature, and dissolved oxygen levels in the lake. Those potential impacts should be addressed in the document and included in the monitoring and adaptive management plan.

SECTION 5.0 ENVIRONMENTAL CONSEQUENCES

5.3 Water Quality and Salinity

5.3.4 Salinity

Page 5-71, lines 21-27 This section provides summary statistics regarding the expected project impacts on salinity in Lake Maurepas. For example, the SEIS indicates a 2,500 cfs diversion would reduce salinities in Lake Maurepas by 30% and a larger diversion would likely reduce salinities more than that. Section 4.2.3.3 of the SEIS provides data on historical salinity levels at various locations relevant to the project. Given the discussion in other sections of the document pertaining to marine fishery species and EFH, this section should be revised to indicate what the expected future salinities will be at various locations with project implementation. NMFS suggests a table be provided in the final SEIS identifying mean and maximum historic salinities at various locations in the project area and what the modeled salinities would be at those locations with project implementation.

5.10 Essential Fish Habitat (EFH)

Page 5-110, lines 11-30 The first sentence in this section (lines 12-14) is confusing and should be rewritten to clarify where and to what extent salinity might decrease and how this might affect "optimal habitat" for red drum and white shrimp. NMFS recommends the final SEIS indicate that any reduction in salinity in Lake Maurepas would represent movement in the direction of historical conditions that existed prior to anthropogenic alteration (disruption) of water flow into the Maurepas Swamp.

Salinity monitoring as called for in section 3.8.2.1 (page 3-114; line 19) is vital to a determination of the level of habitat alteration in Lake Maurepas. As such, NMFS recommends this section be modified to note that while the consequences of salinity modification are expected to be negligible, salinity and water quality monitoring are planned, as well as the implementation of adaptive management, as needed, to preclude significant adverse impacts to EFH.

APPENDIX I

Page 10; Objective 4: Improve fish and wildlife habitat in the swamp and in Blind River

According to the Alternatives Analysis (page 3-27; lines 26-30) “The overall project has an extensive monitoring plan and includes costs for adaptive management to assure that the overall water quality in the Blind River is not degraded.” Despite this statement, the MAMP performance measures contain no parameters associated with water quality monitoring for nutrient input or modification of dissolved oxygen and salinity. NMFS recommends this be addressed in the SEIS and that the MAMP be modified to specifically state that water quality monitoring for nutrients, salinity, and dissolved oxygen will be undertaken and adaptive management will be implemented, if needed, to remedy water quality problems in the Blind River. As noted in preceding comments concerning page 3-27; lines 26-30, NMFS further recommends the SEIS and MAMP be modified to state that federal resource agencies, including NMFS and FWS, will be consulted with regard to environmental monitoring and adaptive measures needed to protect and restore fish and wildlife resources and habitat in the study area, including EFH in Lake Maurepas.

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