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DAC/NOAA [responding to ESA initiation

Letter for LRRPP Region 2]



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

646 Canjundome Blvd.

Suite 400

Lafayette, Louisiana 70506

October 20, 2003

Dr. William Conner  
Chief, Damage Assessment Center  
National Oceanic and Atmospheric Administration  
SSMC4 Room 10219  
1305 East-West Highway  
Silver Spring, MD 20910

Dear Dr. Conner:

Please reference your September 23, 2003, letter (received in this office on October 6, 2003) requesting information on Federally listed threatened and endangered species, and their critical habitat, located within Region 2 of the Louisiana Regional Restoration Planning (LRRP) Program. Region 2 encompasses either a portion or all of Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, and St. John the Baptist Parishes, Louisiana. The U.S. Fish and Wildlife Service has reviewed the information you provided, and offers the following comments in accordance with provision of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and the Migratory Bird Treaty Act (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.).

### THREATENED AND ENDANGERED SPECIES

The following table provides a concise listing of Federally listed species and their status within Region 2:

Table 1. Federally listed threatened and endangered species known to occur in those Parishes within Region 2.

SPECIES	PARISH	STATUS	CRITICAL HABITAT
West Indian manatee	Ascension, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist	Endangered	Yes <sup>1</sup>
Bald eagle	Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Charles, St. James, St. John the Baptist	Threatened	No

Brown pelican	Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John the Baptist	Endangered	No
Piping plover	Jefferson, Lafourche, Plaquemines, St. Bernard	Threatened	Yes
Green sea turtle	Jefferson, Lafourche, Plaquemines, St. Bernard	Threatened	No
Hawksbill sea turtle	Jefferson, Lafourche, Plaquemines, St. Bernard	Endangered	No
Kemp's ridley sea turtle	Jefferson, Lafourche, Plaquemines, St. Bernard	Endangered	No
Leatherback sea turtle	Jefferson, Lafourche, Plaquemines, St. Bernard	Endangered	No
Loggerhead sea turtle	Jefferson, Lafourche, Plaquemines, St. Bernard	Threatened	No
Gulf sturgeon	Ascension, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist	Threatened	Yes <sup>2</sup>
Pallid sturgeon	Ascension, Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist	Endangered	No
Inflated heelsplitter mussel <sup>3</sup>	Ascension	Threatened	No

<sup>1</sup>Critical habitat is not designated in Louisiana.

<sup>2</sup>Critical habitat is designated in Louisiana, but does not occur within the Region 2 planning area.

<sup>3</sup>Species may occur in the Parish, but not within the Region 2 planning area.

## Mammals

West Indian manatees (*Trichechus manatus*) occasionally enter Lake Pontchartrain, Lake Maurepas, and their associated coastal waters and streams during the summer months (i.e., June through September). Manatees have also been reported in the Amite, Blind, Tchefuncte, and Tickfaw Rivers, and in canals within the adjacent coastal marshes of Louisiana. Should the proposed project involve activities in those areas during summer months, further consultation with this office will be necessary. Manatees have also been occasionally observed elsewhere along the Louisiana Gulf Coast. They have declined in numbers due to collisions with boats and barges, entrapment in flood control structures, poaching, habitat loss, and pollution. Cold weather and outbreaks of red tide may also adversely affect these animals. No critical habitat has been designated in Louisiana for that species.

## Birds

Bald eagles (*Haliaeetus leucocephalus*) nest in Louisiana from October through mid-May. Eagles typically nest in bald cypress trees near fresh to intermediate marshes or open water in the southeastern Parishes. Areas with high numbers of nests include the Lake Verret Basin south to Houma, the southern marshes/ridge from Houma to Bayou Vista, the north shore of Lake Pontchartrain, and the Lake Salvador area. Eagles also winter and infrequently nest near large lakes

in central and northern Louisiana. Major threats to this species include habitat alteration, human disturbance, and environmental contaminants (i.e., organochlorine pesticides and lead).

Brown pelicans (*Pelecanus occidentalis*) are currently known to nest on Rabbit Island in Calcasieu Lake, Raccoon Point on Isles Dernieres, as well as Queen Bess Island, Plover Island (Baptiste Collette), Wine Island, and islands in the Chandeleur chain. Pelicans change nesting sites as habitat changes occur. Thus, pelicans may also be found nesting on mud lumps at the mouth of South Pass (Mississippi River Delta) and on small islands in St. Bernard Parish. In winter, spring, and summer, nests are built in mangrove trees or other shrubby vegetation, although occasional ground nesting may occur. Brown pelicans feed along the Louisiana coast in shallow estuarine waters, using sand spits and offshore sand bars as rest and roost areas. Major threats to this species include chemical pollutants, colony site erosion, disease, and human disturbance.

The piping plover (*Charadrius melodus*), as well as its designated critical habitat, occur along the Louisiana coast. Piping plovers winter in Louisiana, and may be present for 8 to 10 months, arriving from the breeding grounds as early as late July and remaining until late March or April. Piping plovers feed extensively on intertidal beaches, mudflats, sand flats, algal flats, and wash-over passes with no, or very sparse, emergent vegetation; they also require unvegetated or sparsely vegetated areas for roosting. Roosting areas may have debris, detritus, or micro-topographic relief offering refuge to plovers from high winds and cold weather. In most areas, wintering piping plovers are dependant on a mosaic of sites distributed throughout the landscape, as the suitability of a particular site for foraging or roosting is dependent on local weather and tidal conditions. Plovers move among sites as environmental conditions change. Their designated critical habitat identifies specific areas that are essential to the conservation of the species. The primary constituent elements for piping plover wintering habitat are those habitat components that support foraging, roosting, and sheltering, and the physical features necessary for maintaining the natural processes that support those habitat components. Constituent elements are found in geologically dynamic coastal areas that contain intertidal beaches and flats (between annual low tide and annual high tide), and associated dune systems and flats above annual high tide. Important components (or primary constituent elements) of intertidal flats include sand and/or mud flats with no or very sparse emergent vegetation. Adjacent unvegetated or sparsely vegetated sand, mud, or algal flats above high tide are also important, especially for roosting plovers. Major threats to this species include the loss and degradation of habitat due to development, disturbance by humans and pets, and predation.

## **Reptiles**

Endangered and threatened sea turtles forage in the nearshore waters, bays, and sounds of Louisiana. The National Marine Fisheries Service is responsible for aquatic marine threatened or endangered species. Eric Hawk (727-570-5312) in St. Petersburg, Florida, should be contacted for additional information, concerning those species.

## **Fish**

The Gulf sturgeon (*Acipenser oxyrinchus desotoi*) is an anadromous fish that occurs in many rivers, streams, and estuarine waters along the northern Gulf Coast between the Atchafalaya River and the Suwannee River, Florida. In Louisiana, Gulf sturgeon have been reported at Rigolets Pass, rivers and lakes of the Lake Pontchartrain basin, and adjacent estuarine areas. Spawning occurs in coastal rivers between late winter and early spring (i.e., March to May). Adults and sub-adults may be found in those rivers and streams until November, and in estuarine or marine waters during the

remainder of the year. Sturgeon less than two years old appear to remain in riverine habitats and estuarine areas throughout the year, rather than migrate to marine waters. Habitat alterations caused by water control structures that limit and prevent spawning, poor water quality, and over-fishing have negatively affected this species.

On March 19, 2003, the Fish and Wildlife Service and the National Marine Fisheries Service published a final rule in the Federal Register (Volume 68, No. 53) designating critical habitat for the Gulf sturgeon in Louisiana, Mississippi, Alabama, and Florida. No designated critical habitat for the Gulf sturgeon occurs within the current Region 2 boundaries.

The pallid sturgeon (*Scaphirhynchus albus*) is found in both the Mississippi and Atchafalaya Rivers (with known concentrations in the vicinity of the Old River Control Structure Complex); it is possibly found in the Red River as well. The pallid sturgeon is adapted to large, free-flowing, turbid rivers with a diverse assemblage of physical habitats that are in a constant state of change. Detailed habitat requirements of this fish are not known, but it is believed to spawn in Louisiana. Habitat loss through river channelization and dams has adversely affected this species throughout its range.

## **MIGRATORY BIRDS**

The Region 2 planning area would also encompass large areas that contain suitable habitat for colonial waterbird rookeries. The Service is aware that proposed LRRP projects will be reviewed on an individual basis; however, colonies that are not currently listed in the database maintained by the Louisiana Department of Wildlife and Fisheries may also be present. That database is updated primarily by monitoring the colony sites that were previously surveyed during the 1980s. Until a new, comprehensive coast-wide survey is conducted to determine the location of newly-established nesting colonies, we recommend that a qualified biologist inspect proposed work sites for the presence of undocumented nesting colonies during the nesting season prior to implementing proposed restoration projects. To minimize disturbance to colonial nesting birds, the following restrictions on work activities should be observed:

1. For colonies containing nesting brown pelicans, all activity occurring within 2,000 feet of a rookery should be restricted to the non-nesting period (i.e., August 1 through October 31). Nesting periods vary considerably among Louisiana's brown pelican colonies, however, so it is possible that this activity window could be altered based upon the dynamics of the individual colony. The Louisiana Department of Wildlife and Fisheries' Fur and Refuge Division should be contacted to obtain the most current information about the nesting chronology of individual brown pelican colonies. Brown pelicans are known to nest on barrier islands and other coastal islands in St. Bernard, Plaquemines, Jefferson, Lafourche, and Terrebonne Parishes, and on Rabbit Island in lower Calcasieu Lake, in Cameron Parish.
2. For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills), anhingas, and/or cormorants, all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period (i.e., September 1 through February 15, depending on species present).
3. For colonies containing nesting gulls, terns, and/or black skimmers, all activity occurring within 650 feet of a rookery should be restricted to the non-nesting period (i.e., September 16 through April 1, depending on species present).

In addition, we recommend that on-site contract personnel be informed of the need to identify colonial nesting birds and avoid impacting them during the breeding season.

The Service appreciates the cooperation of your agency throughout this consultation. We look forward to assisting you during future consultations for the specific restoration projects. If you have any questions or require further coordination on this matter, please contact Brigitte Firmin (337-291-3108) of this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell C. Watson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Russell C. Watson  
Acting Supervisor  
Louisiana Field Office

cc: LDWF, Natural Heritage Program, Baton Rouge, LA