

Appendix C:
Endangered Species Act Section 7 Consultation
Marine Mammal Act Coordination
Migratory Bird Treaty Act Coordination



REGION 6

DALLAS, TX 75270

August 19, 2024

Ms. Brigitte Firmin
Field Supervisor
Louisiana Ecological Services Office
United States Fish and Wildlife Service
200 Dulles Drive
Baton Rouge, Louisiana 70506

Dear Ms. Firmin:

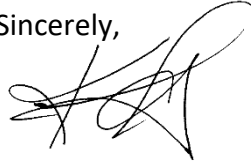
The United States Environmental Protection Agency Region 6 requests the U.S. Fish and Wildlife Service's concurrence on our determination that the Port Fourchon Marsh Creation Project (TE-0171) "may affect, but is not likely to adversely affect" the following species or their designated critical habitat:

- West Indian Manatee (*Trichechus manatus*)
- Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*)
- Piping Plover (*Charadrius melodus*)
- Rufa Red Knot (*Calidris canutus rufa*)
- Hawksbill Sea Turtle (*Eretmochelys imbricata*)
- Kemp's Ridley Sea Turtle (*Lepidochelys kempii*)
- Leatherback Sea Turtle (*Dermochelys coriacea*)
- Loggerhead Sea Turtle (*Caretta caretta*)

Mitigation actions in the project design include bird abatement and monitoring and the USFWS Standard Manatee Conditions for In-Water Activities. Hydraulic dredges would be used for excavation of dredged material which would be transported to a marsh creation project site via pipeline. The planned dredging location is a 303-acre, 4.26-mile area within Belle Pass. The dredge pipeline would have one onshore connection to the marsh creation area and would be removed post-construction. Construction is estimated to last about 18 months, with the marsh creation lasting approximately 7 months.

A brief project description and project map follow to assist in your assessment. The consistency letters generated by Louisiana Determination Key in the IPaC system are attached. If you require further assistance or have questions regarding our determination, please contact Shalyn Bauschlicher of my staff at (214) 665-7592 or by email at Bauschlicher.Shalyn@epa.gov.

Sincerely,

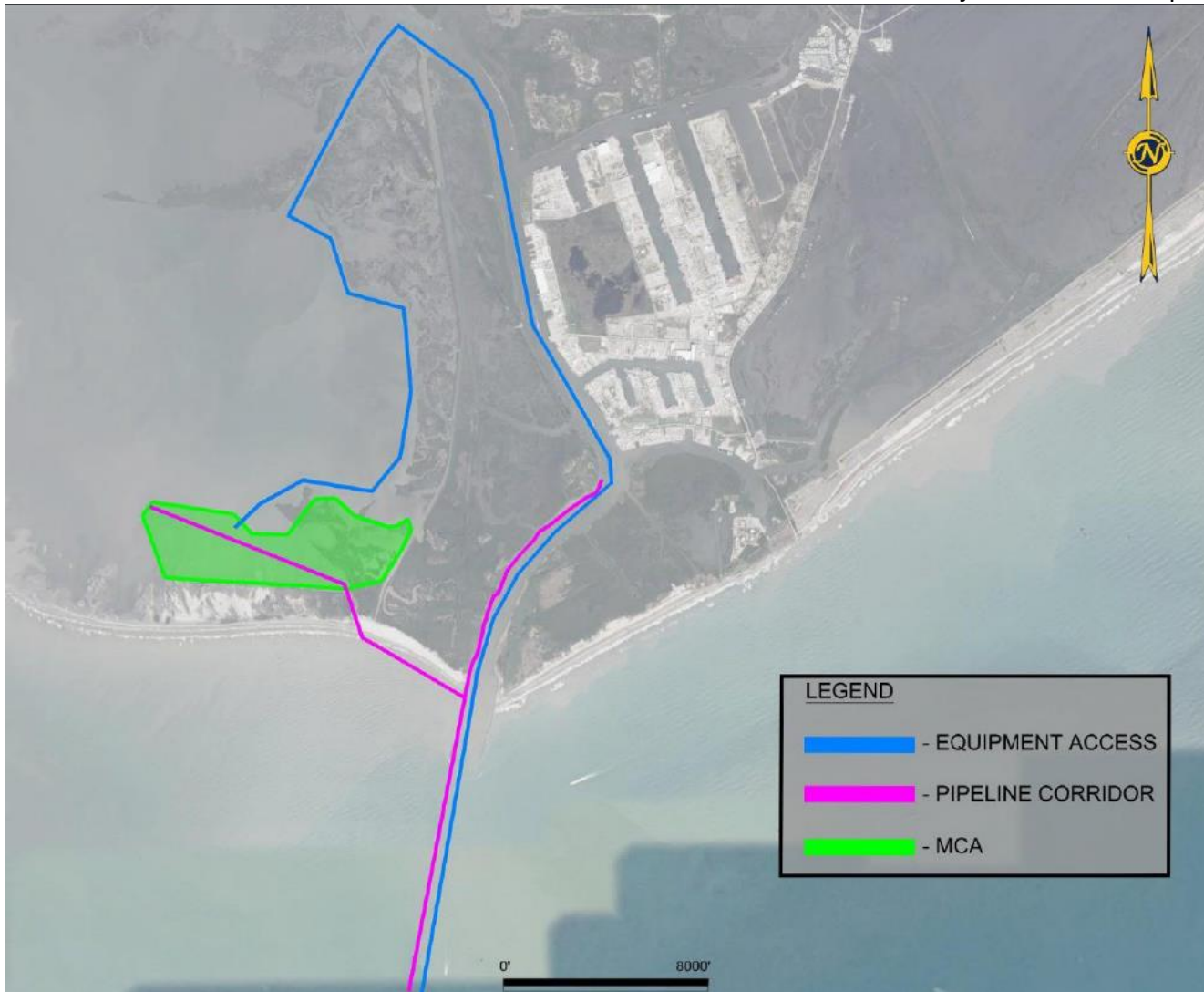
A handwritten signature in black ink, appearing to be 'KM', with a large, sweeping flourish extending from the end.

Karen McCormick, Section Supervisor
Marine, Coastal and Nonpoint Source Section

Attachments:

1. Consistency letter – Marsh Creation Area
2. Consistency letter – Borrow Area

ecc: Dustin White, CPRA



The TE-0171 Marsh Creation Area is located west of Belle Pass and southwest of Port Fourchon within Lafourche Parish, Louisiana. The planned dredging location is a 303-acre, 4.26-mile area within the corridor of Belle Pass. Dredged sediment would be used to create and nourish 595-acres of coastal wetland. Belle Pass is a federal navigation channel in which maintenance dredging already occurs by the U.S. Army Corps of Engineers. This project is being funded under the authority of the Coastal Wetlands Planning, Protection and Restoration Act. EPA is the federal sponsor.



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:

07/30/2024 21:53:37 UTC

Project code: 2024-0117210

Project Name: Port Fourchon Marsh Creation - TE-0171

Subject: Consistency letter for the project named 'Port Fourchon Marsh Creation - TE-0171' 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 Shalyn Bauschlicher:

The U.S. Fish and Wildlife Service (Service) received on July 30, 2024 your effects determination(s) for the 'Port Fourchon Marsh Creation - TE-0171' (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 ssp. 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
Rufa 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 to discuss methods to avoid or minimize potential adverse effects to those species.

This IPaC-generated letter only applies to the species in the above table and **does not** apply to the following ESA-protected species that also may occur in the Action Area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

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 Ulgonda Kirkpatrick (phone: 321/972-9089, e-mail: 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

Port Fourchon Marsh Creation - TE-0171

2. Description

The following description was provided for the project 'Port Fourchon Marsh Creation - TE-0171':

The TE-0171 Port Fourchon Marsh Creation project location is west of Belle Pass, southwest of Port Fourchon, in Region 3 of the Terrebonne Basin within Lafourche Parish, Louisiana. Phase I funding was granted through the Coastal Wetlands Planning, Protection and Restoration Act in January 2022 as part of Priority Project List 31.

The TE-0171 proposes creation and nourishment 595 acres of marsh with material dredged from Belle Pass. Approximately 507 acres of open water would be turned into marsh and 88 acres of existing marsh would be nourished with hydraulically dredged sediment from the borrow source. The borrow area of Belle Pass would start at Sta. 140+00 (approximately 1.9 miles north of the Port Fourchon jetties) and conclude at Sta. 365+00 (approximately 1.8 miles south of the jetties, in the Gulf of Mexico). The associated dredge work would be conducted using a cutterhead suction dredge. The dredge material pipeline corridor passes around the jetties, and the pipeline would come onshore across the beach into the project area. The pipeline would be temporary and removed after construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.10190185,-90.25064115460222,14z>



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:

e. 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. Will the project directly impact suitable eastern black rail nesting habitat (shallow inundated wetlands containing mesic to hydric soils with dense herbaceous plant cover) and/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

13. [Hidden Semantic] Does the project intersect the west indian manatee AOI?

Automatically answered

Yes

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

Automatically answered

Yes

15. Is the project footprint entirely on land?

No

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

Yes

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

Yes

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

Yes

19. [Hidden Semantic] Does the project intersect the sea turtle AOI?

Automatically answered

Yes

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

No

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

Yes

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

Automatically answered

No

23. (Semantic) Does the project intersect the Louisiana black bear Range?

Automatically answered

No

IPAC USER CONTACT INFORMATION

Agency: Environmental Protection Agency
Name: Shalyn Bauschlicher
Address: 1201 Elm St.
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75270
Email: bauschlicher.shalyn@epa.gov
Phone: 2146657592



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:

07/30/2024 20:03:14 UTC

Project code: 2024-0123605

Project Name: Port Fourchon Marsh Creation - Belle Pass Borrow Area

Subject: Consistency letter for the project named 'Port Fourchon Marsh Creation - Belle Pass Borrow Area' 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 Shalyn Bauschlicher:

The U.S. Fish and Wildlife Service (Service) received on July 30, 2024 your effects determination(s) for the 'Port Fourchon Marsh Creation - Belle Pass Borrow Area' (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
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
Rufa 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 to discuss methods to avoid or minimize potential adverse effects to those species.

This IPaC-generated letter only applies to the species in the above table and **does not** apply to the following ESA-protected species that also may occur in the Action Area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

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 Ulgonda Kirkpatrick (phone: 321/972-9089, e-mail: 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

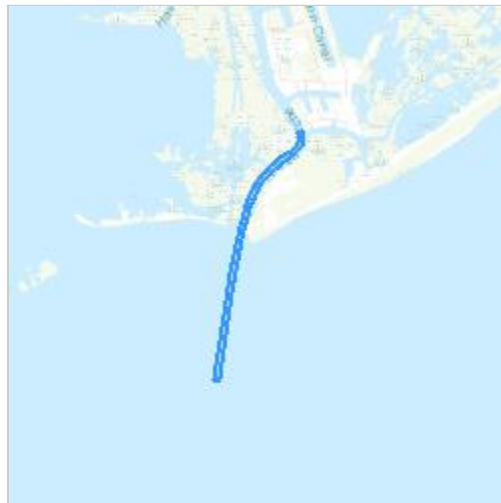
Port Fourchon Marsh Creation - Belle Pass Borrow Area

2. Description

The following description was provided for the project 'Port Fourchon Marsh Creation - Belle Pass Borrow Area':

The marine dredge material borrow area, Belle Pass in Lafourche Parish, Louisiana, is the preferred borrow area from which dredge material would be beneficially used for TE-0171 marsh creation and nourishment. Sediment would be hydraulically dredged from the 303-acre, 4.26-mile long borrow area within the corridor of Belle Pass extending into the Gulf of Mexico. Belle Pass is a federal navigation channel in which maintenance dredging already occurs by the U.S. Army Corps of Engineers. Dredge materials will be used to create 507 acres and nourish 88 acres of coastal wetlands.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.082597149999998,-90.22719660282229,14z>



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:
e. 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.)?
No
7. [Hidden Semantic] Does the project intersect the red knot AOI?
Automatically answered
Yes
8. [Hidden Semantic] Does the project intersect the west indian manatee AOI?
Automatically answered
Yes
9. (Semantic) Is the project located within the manatee consultation zone, excluding the Mississippi River?
Automatically answered
Yes
10. Is the project footprint entirely on land?
No
11. Is the water depth within the project greater than 2 feet (at mean high tide)?
Yes
12. Will the project occur during the months of June through November?
Yes
13. Will the following Standard Manatee [Conditions](#) for in-Water Activities be included within the project design?
Yes

14. [Hidden Semantic] Does the project intersect the sea turtle AOI?

Automatically answered

Yes

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

No

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

Yes

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

Automatically answered

No

18. (Semantic) Does the project intersect the Louisiana black bear Range?

Automatically answered

No

IPAC USER CONTACT INFORMATION

Agency: Environmental Protection Agency
Name: Shalyn Bauschlicher
Address: 1201 Elm St.
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75270
Email: bauschlicher.shalyn@epa.gov
Phone: 2146657592



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:

07/30/2024 22:05:45 UTC

Project Code: 2024-0117210

Project Name: Port Fourchon Marsh Creation - TE-0171

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and candidate species, as well as designated and proposed critical habitat that may occur within the boundary of your proposed project and may be affected by your proposed project. The Fish and Wildlife Service (Service) is providing this list under section 7 (c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Changes in this species list may occur due to new information from updated surveys, changes in species habitat, new listed species and other factors. Because of these possible changes, feel free to contact our office (337-291-3109) for more information or assistance regarding impacts to federally listed species. The Service recommends visiting the IPaC site or the Louisiana Ecological Services Field Office website (<https://www.fws.gov/southeast/lafayette>) at regular intervals during project planning and implementation for updated species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect Federally listed species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)).

Bald eagles have recovered and were removed from the List of Endangered and Threatened Species as of August 8, 2007. Although no longer listed, please be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668 et seq.).

The Service developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations to minimize potential project impacts to bald eagles, particularly where such impacts may constitute “disturbance”, which is prohibited by the BGEPA. A copy of the NBEM Guidelines is available at: <https://www.fws.gov/migratorybirds/pdf/management/nationalbaldeaglenanagementguidelines.pdf>

Those guidelines recommend: (1) maintaining a specified distance between the activity and the nest (buffer area); (2) maintaining natural areas (preferably forested) between the activity and nest trees (landscape buffers); and (3) avoiding certain activities during the breeding season. Onsite personnel should be informed of the possible presence of nesting bald eagles within the project boundary, and should identify, avoid, and immediately report any such nests to this office. If a bald eagle nest occurs or is discovered within or adjacent to the proposed project area, then an evaluation must be performed to determine whether the project is likely to disturb nesting bald eagles. That evaluation may be conducted on-line at: <https://www.fws.gov/southeast/our-services/eagle-technical-assistance/>. Following completion of the evaluation, that website will provide a determination of whether additional consultation is necessary. The Division of Migratory Birds for the Southeast Region of the Service (phone: 404/679-7051, e-mail: SEmigratorybirds@fws.gov) has the lead role in conducting any necessary consultation.

Activities that involve State-designated scenic streams and/or wetlands are regulated by the Louisiana Department of Wildlife and Fisheries and the U.S. Army Corps of Engineers, respectively. We, therefore, recommend that you contact those agencies to determine their interest in proposed projects in these areas.

Activities that would be located within a National Wildlife Refuge are regulated by the refuge staff. We, therefore, recommend that you contact them to determine their interest in proposed projects in these areas.

Additional information on Federal trust species in Louisiana can be obtained from the Louisiana Ecological Services website at: <https://www.fws.gov/southeast/lafayette>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Marine Mammals

- Coastal Barriers

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
(337) 291-3100

PROJECT SUMMARY

Project Code: 2024-0117210

Project Name: Port Fourchon Marsh Creation - TE-0171

Project Type: Restoration / Enhancement - Wetland

Project Description: The TE-0171 Port Fourchon Marsh Creation project location is west of Belle Pass, southwest of Port Fourchon, in Region 3 of the Terrebonne Basin within Lafourche Parish, Louisiana. Phase I funding was granted through the Coastal Wetlands Planning, Protection and Restoration Act in January 2022 as part of Priority Project List 31. The TE-0171 proposes creation and nourishment 595 acres of marsh with material dredged from Belle Pass. Approximately 507 acres of open water would be turned into marsh and 88 acres of existing marsh would be nourished with hydraulically dredged sediment from the borrow source. The borrow area of Belle Pass would start at Sta. 140+00 (approximately 1.9 miles north of the Port Fourchon jetties) and conclude at Sta. 365+00 (approximately 1.8 miles south of the jetties, in the Gulf of Mexico). The associated dredge work would be conducted using a cutterhead suction dredge. The dredge material pipeline corridor passes around the jetties, and the pipeline would come onshore across the beach into the project area. The pipeline would be temporary and removed after construction.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.10190185,-90.25064115460222,14z>



Counties: Lafourche County, Louisiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered
West Indian Manatee <i>Trichechus manatus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. <i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i> Species profile: https://ecos.fws.gov/ecp/species/4469	Threatened

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

NAME	STATUS
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3656	Endangered
Kemp's Ridley Sea Turtle <i>Lepidochelys kempii</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/5523	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> https://ecos.fws.gov/ecp/species/6039#crithab	Final

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Brown Pelican <i>Pelecanus occidentalis</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/6034	Breeds Jan 15 to Sep 30
Common Loon <i>gavia immer</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/4464	Breeds Apr 15 to Oct 31
Double-crested Cormorant <i>phalacrocorax auritus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/3478	Breeds Apr 20 to Aug 31

NAME	BREEDING SEASON
Forster's Tern <i>Sterna forsteri</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11953	Breeds Mar 1 to Aug 15
Gull-billed Tern <i>Gelochelidon nilotica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9501	Breeds May 1 to Jul 31
Least Tern <i>Sternula antillarum antillarum</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11919	Breeds Apr 25 to Sep 5
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-billed Curlew <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5511	Breeds elsewhere
Magnificent Frigatebird <i>Fregata magnificens</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9588	Breeds elsewhere
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red Knot <i>Calidris canutus roselaari</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8880	Breeds elsewhere

NAME	BREEDING SEASON
Red-breasted Merganser <i>Mergus serrator</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10693	Breeds elsewhere
Reddish Egret <i>Egretta rufescens</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/7617	Breeds Mar 1 to Sep 15
Ring-billed Gull <i>Larus delawarensis</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10468	Breeds elsewhere
Royal Tern <i>Thalasseus maximus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10471	Breeds Apr 15 to Aug 31
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere
Sandwich Tern <i>Thalasseus sandvicensis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9731	Breeds Apr 25 to Aug 31
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Whimbrel <i>Numenius phaeopus hudsonicus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11991	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10669	Breeds Apr 20 to Aug 5

NAME	BREEDING SEASON
Wilson's Plover <i>Charadrius wilsonia</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9722	Breeds Apr 1 to Aug 20

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

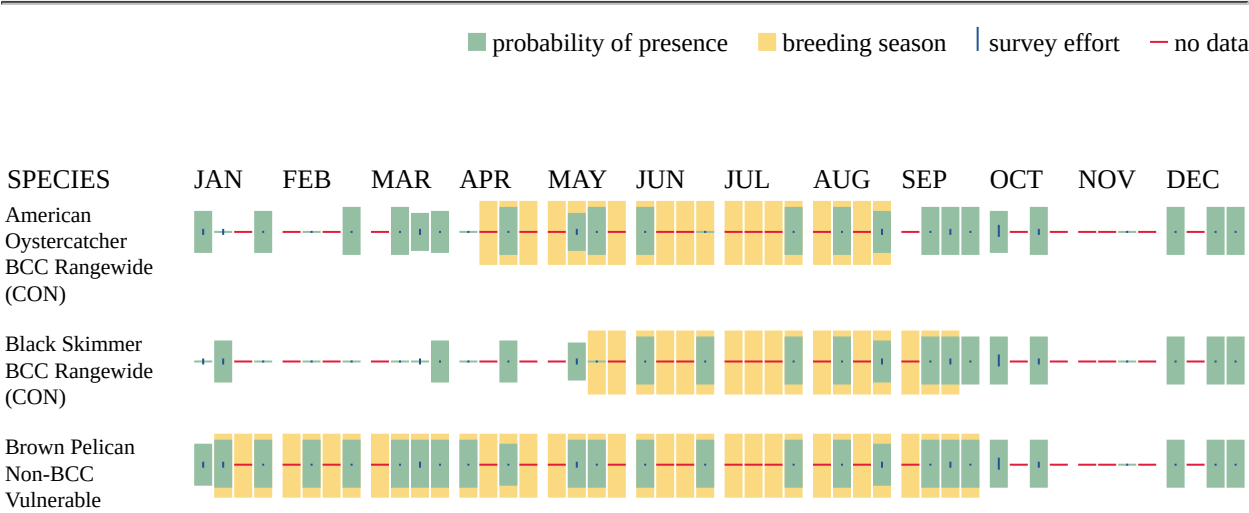
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.







Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

COASTAL BARRIERS

Projects within the [John H. Chafee Coastal Barrier Resources System](#) (CBRS) may be subject to the restrictions on Federal expenditures and financial assistance and the consultation requirements of the Coastal Barrier Resources Act (CBRA) (16 U.S.C. 3501 et seq.). For more information, please contact the local [Ecological Services Field Office](#) or visit the [CBRA Consultations website](#). The CBRA website provides tools such as a flow chart to help determine whether consultation is required and a template to facilitate the consultation process.

SYSTEM UNIT (SU)

Most new Federal expenditures and financial assistance, including Federal flood insurance, are prohibited within System Units. **Federally-funded projects within System Units require consultation with the Service.** Consultation is not required for projects using private, state, or local funds.

UNIT	NAME	TYPE	SYSTEM UNIT ESTABLISHMENT DATE	FLOOD INSURANCE PROHIBITION DATE
S04	Timbalier Bay	SU	10/18/1982	10/1/1983
S04	Timbalier Bay	SU	11/16/1990	11/16/1990

MARINE MAMMALS

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

1. The [Endangered Species Act](#) (ESA) of 1973.
2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NAME

West Indian Manatee *Trichechus manatus*

Species profile: <https://ecos.fws.gov/ecp/species/4469>

IPAC USER CONTACT INFORMATION

Agency: Environmental Protection Agency
Name: Shalyn Bauschlicher
Address: 1201 Elm St.
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75270
Email: bauschlicher.shalyn@epa.gov
Phone: 2146657592



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:

07/30/2024 19:49:41 UTC

Project Code: 2024-0123605

Project Name: Port Fourchon Marsh Creation - Belle Pass Borrow Area

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and candidate species, as well as designated and proposed critical habitat that may occur within the boundary of your proposed project and may be affected by your proposed project. The Fish and Wildlife Service (Service) is providing this list under section 7 (c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Changes in this species list may occur due to new information from updated surveys, changes in species habitat, new listed species and other factors. Because of these possible changes, feel free to contact our office (337-291-3109) for more information or assistance regarding impacts to federally listed species. The Service recommends visiting the IPaC site or the Louisiana Ecological Services Field Office website (<https://www.fws.gov/southeast/lafayette>) at regular intervals during project planning and implementation for updated species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the habitats upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of Federal trust resources and to determine whether projects may affect Federally listed species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)).

Bald eagles have recovered and were removed from the List of Endangered and Threatened Species as of August 8, 2007. Although no longer listed, please be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668 et seq.).

The Service developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations to minimize potential project impacts to bald eagles, particularly where such impacts may constitute “disturbance”, which is prohibited by the BGEPA. A copy of the NBEM Guidelines is available at: <https://www.fws.gov/migratorybirds/pdf/management/nationalbaldeaglenanagementguidelines.pdf>

Those guidelines recommend: (1) maintaining a specified distance between the activity and the nest (buffer area); (2) maintaining natural areas (preferably forested) between the activity and nest trees (landscape buffers); and (3) avoiding certain activities during the breeding season. Onsite personnel should be informed of the possible presence of nesting bald eagles within the project boundary, and should identify, avoid, and immediately report any such nests to this office. If a bald eagle nest occurs or is discovered within or adjacent to the proposed project area, then an evaluation must be performed to determine whether the project is likely to disturb nesting bald eagles. That evaluation may be conducted on-line at: <https://www.fws.gov/southeast/our-services/eagle-technical-assistance/>. Following completion of the evaluation, that website will provide a determination of whether additional consultation is necessary. The Division of Migratory Birds for the Southeast Region of the Service (phone: 404/679-7051, e-mail: SEmigratorybirds@fws.gov) has the lead role in conducting any necessary consultation.

Activities that involve State-designated scenic streams and/or wetlands are regulated by the Louisiana Department of Wildlife and Fisheries and the U.S. Army Corps of Engineers, respectively. We, therefore, recommend that you contact those agencies to determine their interest in proposed projects in these areas.

Activities that would be located within a National Wildlife Refuge are regulated by the refuge staff. We, therefore, recommend that you contact them to determine their interest in proposed projects in these areas.

Additional information on Federal trust species in Louisiana can be obtained from the Louisiana Ecological Services website at: <https://www.fws.gov/southeast/lafayette>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Marine Mammals

- Coastal Barriers

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Louisiana Ecological Services Field Office
200 Dulles Drive
Lafayette, LA 70506
(337) 291-3100

PROJECT SUMMARY

Project Code: 2024-0123605

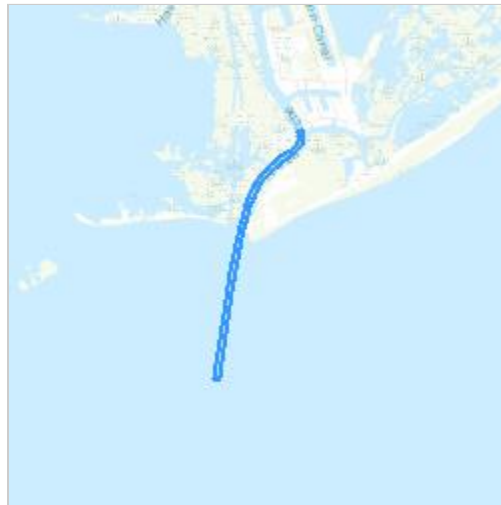
Project Name: Port Fourchon Marsh Creation - Belle Pass Borrow Area

Project Type: Restoration / Enhancement - Wetland

Project Description: The marine dredge material borrow area, Belle Pass in Lafourche Parish, Louisiana, is the preferred borrow area from which dredge material would be beneficially used for TE-0171 marsh creation and nourishment. Sediment would be hydraulically dredged from the 303-acre, 4.26-mile long borrow area within the corridor of Belle Pass extending into the Gulf of Mexico. Belle Pass is a federal navigation channel in which maintenance dredging already occurs by the U.S. Army Corps of Engineers. Dredge materials will be used to create 507 acres and nourish 88 acres of coastal wetlands.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.082597149999998,-90.22719660282229,14z>



Counties: Lafourche County, Louisiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered
West Indian Manatee <i>Trichechus manatus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. <i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i> Species profile: https://ecos.fws.gov/ecp/species/4469	Threatened

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

REPTILES

NAME	STATUS
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3656	Endangered
Kemp's Ridley Sea Turtle <i>Lepidochelys kempii</i> There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/5523	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i>	Candidate

NAME	STATUS
No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

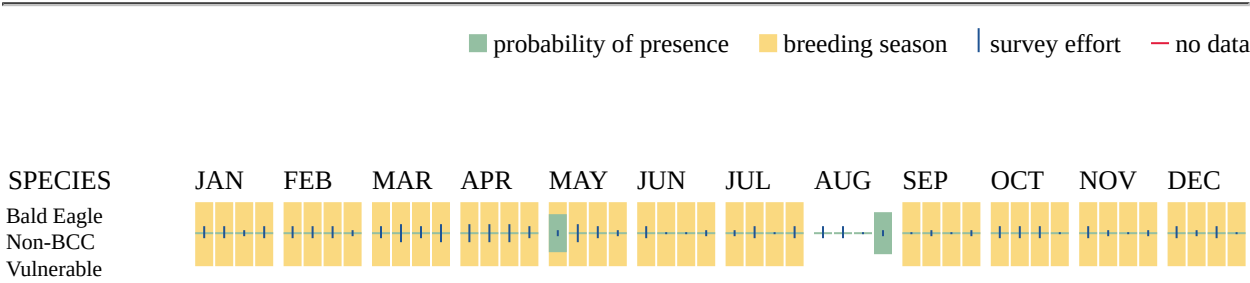
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.



- Additional information can be found using the following links:
- Eagle Management <https://www.fws.gov/program/eagle-management>
 - Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-al-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561	Breeds elsewhere
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31

NAME	BREEDING SEASON
Black Scoter <i>Melanitta nigra</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10413	Breeds elsewhere
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Brown Pelican <i>Pelecanus occidentalis</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/6034	Breeds Jan 15 to Sep 30
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Common Loon <i>gavia immer</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/4464	Breeds Apr 15 to Oct 31
Dickcissel <i>Spiza americana</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9453	Breeds May 5 to Aug 31
Double-crested Cormorant <i>phalacrocorax auritus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/3478	Breeds Apr 20 to Aug 31
Forster's Tern <i>Sterna forsteri</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11953	Breeds Mar 1 to Aug 15
Gull-billed Tern <i>Gelochelidon nilotica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9501	Breeds May 1 to Jul 31

NAME	BREEDING SEASON
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Least Tern <i>Sternula antillarum antillarum</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/11919	Breeds Apr 25 to Sep 5
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Long-billed Curlew <i>Numenius americanus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/5511	Breeds elsewhere
Magnificent Frigatebird <i>Fregata magnificens</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9588	Breeds elsewhere
Marbled Godwit <i>Limosa fedoa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9481	Breeds elsewhere
Painted Bunting <i>Passerina ciris</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9511	Breeds Apr 25 to Aug 15
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Prairie Loggerhead Shrike <i>Lanius ludovicianus excubitorides</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8833	Breeds Feb 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31

NAME	BREEDING SEASON
Red Knot <i>Calidris canutus roselaari</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8880	Breeds elsewhere
Red-breasted Merganser <i>Mergus serrator</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10693	Breeds elsewhere
Reddish Egret <i>Egretta rufescens</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/7617	Breeds Mar 1 to Sep 15
Ring-billed Gull <i>Larus delawarensis</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10468	Breeds elsewhere
Royal Tern <i>Thalasseus maximus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10471	Breeds Apr 15 to Aug 31
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633	Breeds elsewhere
Sandwich Tern <i>Thalasseus sandvicensis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9731	Breeds Apr 25 to Aug 31
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Surf Scoter <i>Melanitta perspicillata</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10463	Breeds elsewhere

NAME	BREEDING SEASON
Whimbrel <i>Numenius phaeopus hudsonicus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/11991	Breeds elsewhere
White-winged Scoter <i>Melanitta fusca</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/10462	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10669	Breeds Apr 20 to Aug 5
Wilson's Plover <i>Charadrius wilsonia</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9722	Breeds Apr 1 to Aug 20

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

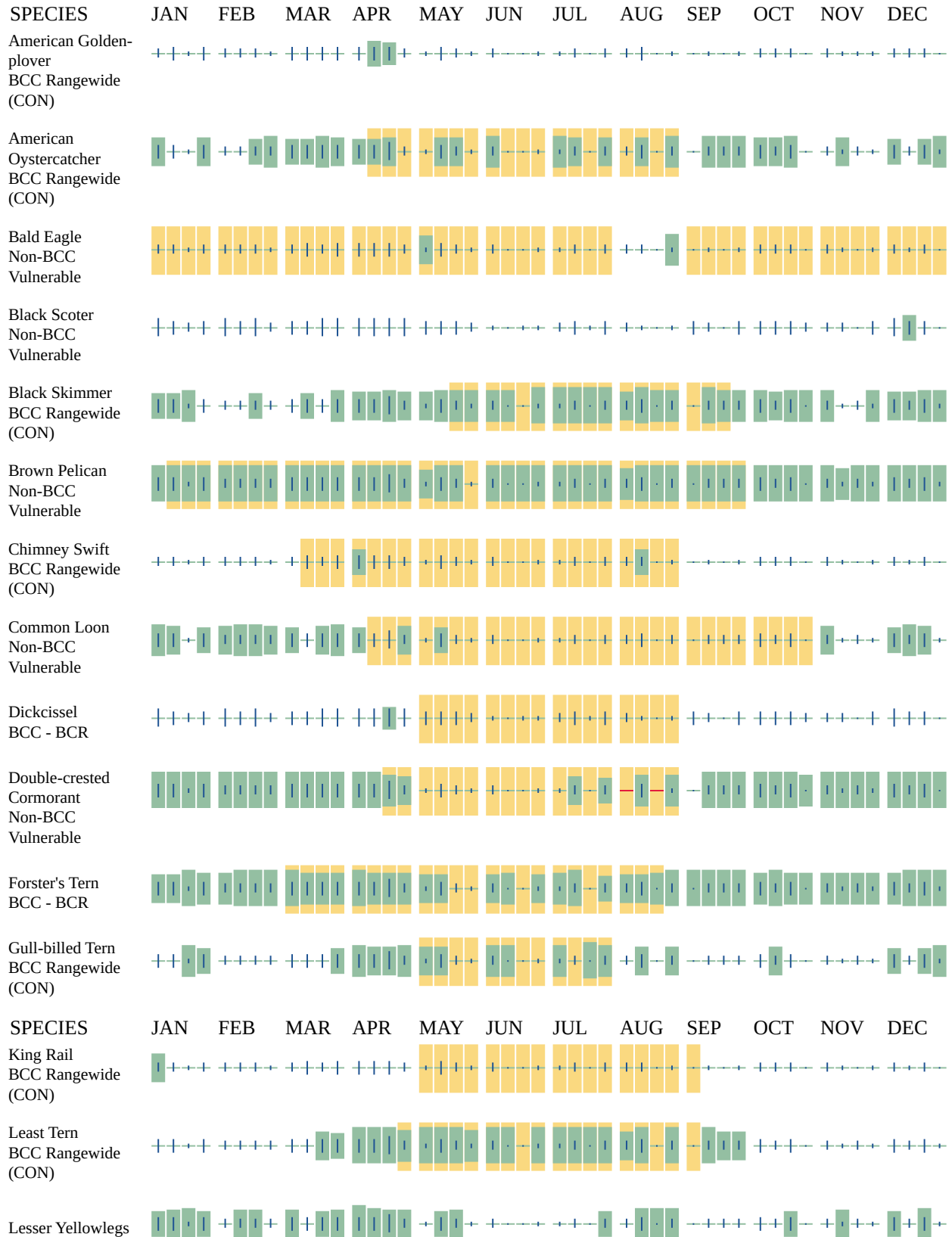
Survey Effort (|)

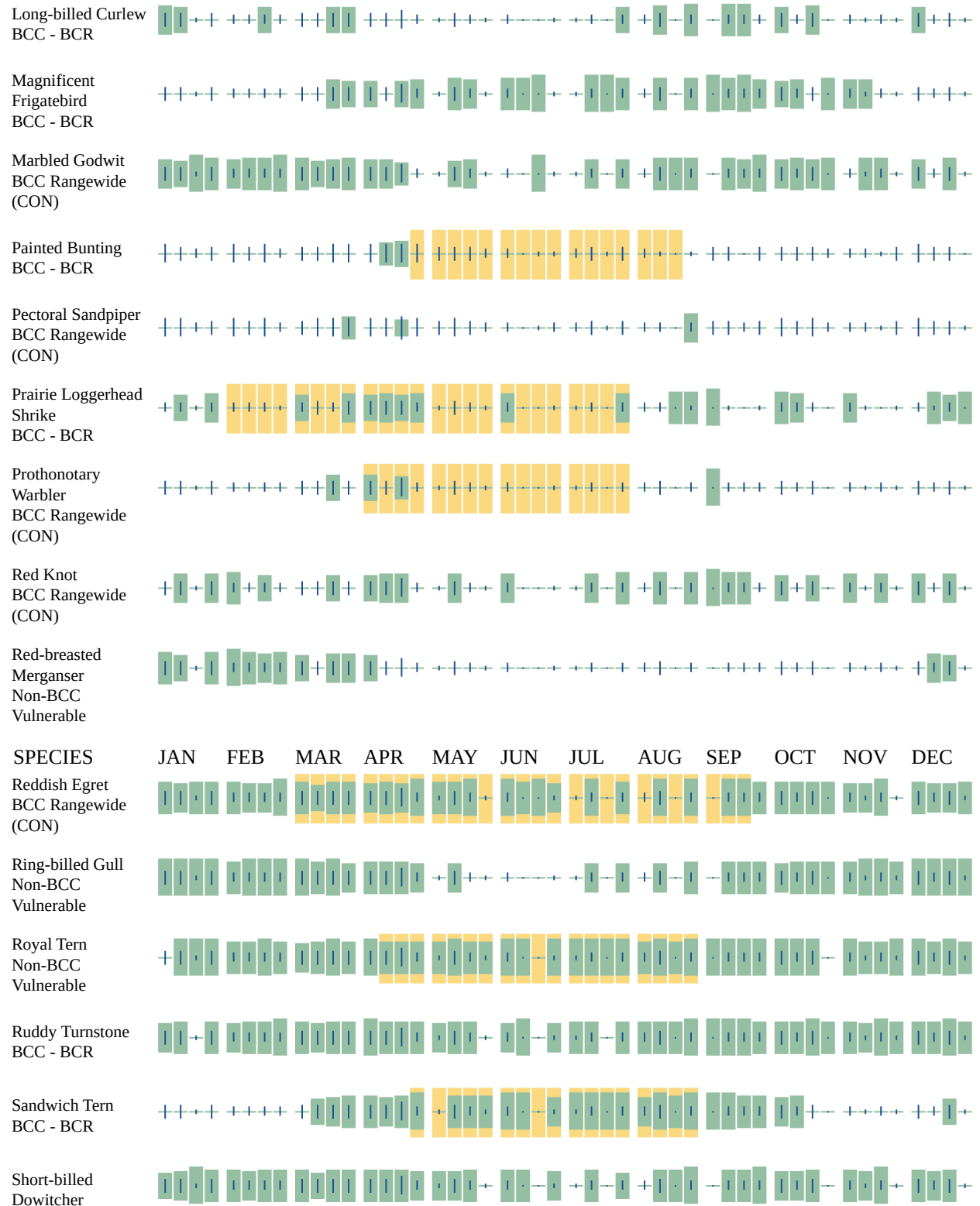
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



BCC Rangewide
(CON)

BCC Rangewide
(CON)

Surf Scoter
Non-BCC
Vulnerable



Whimbrel
BCC - BCR



White-winged
Scurer
Non-BCC
Vulnerable



Willet
BCC Rangewide
(CON)



Wilson's Plover
BCC Rangewide
(CON)



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

COASTAL BARRIERS

Projects within the [John H. Chafee Coastal Barrier Resources System](#) (CBRS) may be subject to the restrictions on Federal expenditures and financial assistance and the consultation requirements of the Coastal Barrier Resources Act (CBRA) (16 U.S.C. 3501 et seq.). For more information, please contact the local [Ecological Services Field Office](#) or visit the [CBRA Consultations website](#). The CBRA website provides tools such as a flow chart to help determine whether consultation is required and a template to facilitate the consultation process.

SYSTEM UNIT (SU)

*Most new Federal expenditures and financial assistance, including Federal flood insurance, are prohibited within System Units. **Federally-funded projects within System Units require consultation with the Service.** Consultation is not required for projects using private, state, or local funds.*

UNIT	NAME	TYPE	SYSTEM UNIT ESTABLISHMENT DATE	FLOOD INSURANCE PROHIBITION DATE
S04	Timbalier Bay	SU	10/18/1982	10/1/1983
S04	Timbalier Bay	SU	11/16/1990	11/16/1990

MARINE MAMMALS

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

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1. The [Endangered Species Act](#) (ESA) of 1973.
 2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
 3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NAME

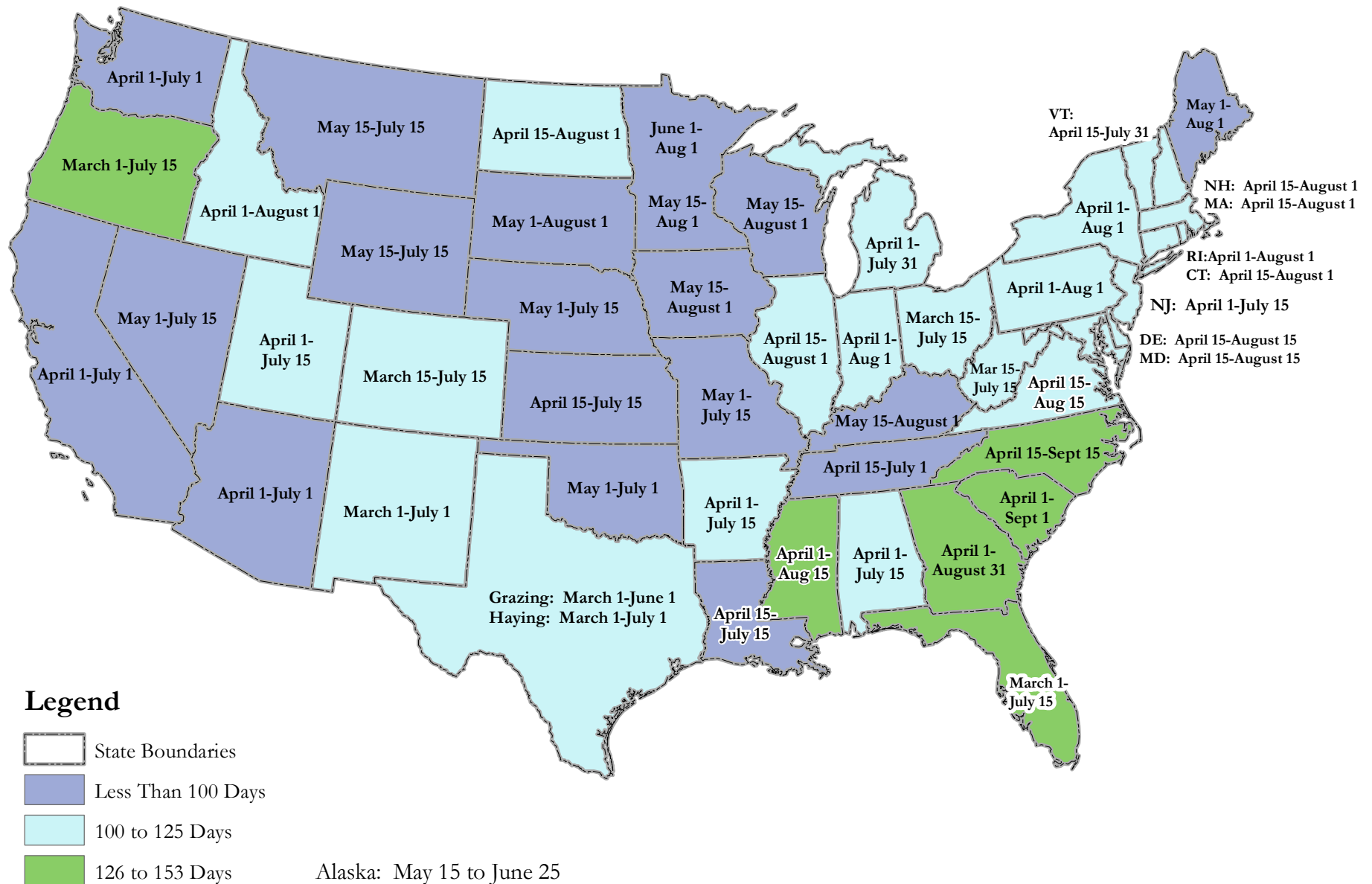
West Indian Manatee *Trichechus manatus*

Species profile: <https://ecos.fws.gov/ecp/species/4469>

IPAC USER CONTACT INFORMATION

Agency: Environmental Protection Agency
Name: Shalyn Bauschlicher
Address: 1201 Elm St.
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75270
Email: bauschlicher.shalyn@epa.gov
Phone: 2146657592

Primary Nesting Season Dates and Duration





Species Results

BCR(s): 37-GULF_COASTAL_PRAIRIE
State(s): LA



American Avocet
Recurvirostra americana

Global: 460,000
Continental U.S. & Canada:
450,000

BCRBCC Breeding: 9, 33



American Bittern
Botaurus lentiginosus

Global: 2,500,000
Continental U.S. & Canada:
2,500,000

State Threatened: MD

**State Endangered: MA, CT, NJ,
PA, OH, IN, MO**



American Coot
Fulica americana

Global: 7,100,000
Continental U.S. & Canada:
5,500,000

BCRBCC Non Breeding: 101





American Crow
Corvus

Global: 29,000,000
Continental U.S. & Canada:
29,000,000

Common



brachyrhynchos



American Golden-Plover
Pluvialis dominica

Global: 500,000
Continental U.S. & Canada:
500,000

BCRBCC Non Breeding:
11,13,19,20,21,22,23,25,26,36,37

BCRBCC Breeding: 2,3,4



American Kestrel
Falco sparverius

Global: 9,200,000
Continental U.S. & Canada:
2,800,000

State Threatened: NJ

State Endangered: DE

BCRBCC Breeding: 25,27,31



American Oystercatcher
Haematopus palliatus

Global: 43,000
Continental U.S. & Canada:
12,000

State Threatened: CT

State Endangered: DE

BCRBCC Breeding:
27,30,31,37



American Pipit
Anthus rubescens

Global: 20,000,000
Continental U.S. & Canada:
18,000,000

Common



American Redstart
Setophaga ruticilla

Global: 42,000,000
Continental U.S. & Canada:
42,000,000

Common





American Robin
Turdus migratorius

Global: 370,000,000
Continental U.S. & Canada:
370,000,000

Common



American White Pelican
Pelecanus erythrorhynchos

Global: 450,000
Continental U.S. & Canada:
410,000

State Endangered: WA

BCRBCC Breeding: 9



American Wigeon
Mareca americana

Global: 2,700,000
Continental U.S. & Canada:
2,700,000

Common



Anhinga
Anhinga anhinga

Global: 2,000,000
Continental U.S. & Canada:
27,000

Common



Baird's Sandpiper
Calidris bairdii

Global: 300,000
Continental U.S. & Canada:
280,000

Common



Bald Eagle
Haliaeetus leucocephalus

Global: 200,000
Continental U.S. & Canada:
200,000

**State Threatened: MA, CT, NH,
NY, TX, NM, NC, SD, SC**

State Endangered: NJ, VT, CA



Baltimore Oriole

Global: 12,000,000
Continental U.S. & Canada:
12,000,000

Common



*Icterus*

Bank Swallow
Riparia riparia

Global: 29,000,000
 Continental U.S. & Canada:
 7,900,000

State Threatened: CA



Barn Owl
Tyto alba

Global: 3,600,000
 Continental U.S. & Canada:
 130,000

State Threatened: OH

State Endangered: CT, RI, IA, MI



Barn Swallow
Hirundo rustica

Global: 190,000,000
 Continental U.S. & Canada:
 47,000,000

Common



Belted Kingfisher
Megasceryle alcyon

Global: 1,800,000
 Continental U.S. & Canada:
 1,800,000

BCRBCC Breeding: 13



Black Scoter
Melanitta americana

Global: 900,000
 Continental U.S. & Canada:
 500,000

Common



Black Skimmer
Rynchops niger

Global: 800,000
 Continental U.S. & Canada:
 60,000

State Endangered: DE, MD, NJ

**BCRBCC Breeding:
 27,30,31,32,33,37**





Black Tern

*Chlidonias
niger*

Global: 5,100,000
Continental U.S. & Canada:
2,300,000

State Endangered: ME, NY, PA,
VT, OH, IN, WI

BCRBCC Breeding:
9.10,11,12,17,19,23,32



Black Vulture

*Coragyps
atratus*

Global: 190,000,000
Continental U.S. & Canada:
9,600,000

Common



**Black-and-
white
Warbler**
*Mniotilta
varia*

Global: 18,000,000
Continental U.S. & Canada:
18,000,000

Common



Black- bellied Plover

*Pluvialis
squatarola*

Global: 840,000
Continental U.S. & Canada:
360,000

Common



Black- bellied Whistling- Duck

Dendrocygna

autumnalis

Global: 1,000,000
Continental U.S. & Canada: Not
yet available

Common



Black- crowned Night- Heron

Nycticorax

nycticorax

Global: 3,000,000
Continental U.S. & Canada:
420,000

State Threatened: ME, NJ, OH

State Endangered: DE, PA, IN





Black-necked Stilt

Himantopus mexicanus

Global: 900,000
Continental U.S. & Canada:
180,000

Federally Endangered: Ssp. knudseni only - wherever found

State Endangered: HI (ssp. knudseni only)



Black-throated Green Warbler

Setophaga

virens

Global: 9,200,000
Continental U.S. & Canada:
9,200,000

BCRBCC Breeding: 27



Blackpoll Warbler

Setophaga striata

Global: 60,000,000
Continental U.S. & Canada:
60,000,000

State Endangered: PA



Blue Grosbeak

Passerina caerulea

Global: 35,000,000
Continental U.S. & Canada:
21,000,000

Common



Blue Jay

Cyanocitta cristata

Global: 17,000,000
Continental U.S. & Canada:
17,000,000

Common



Blue-gray

Gnatcatcher

Polioptila caerulea

Global: 260,000,000
Continental U.S. & Canada:
230,000,000

Common





Blue-winged Teal
Spatula discors

Global: 7,800,000
Continental U.S. & Canada:
7,800,000

Common



Boat-tailed Grackle
Quiscalus major

Global: 2,200,000
Continental U.S. & Canada:
2,200,000

Common



Bobolink
Dolichonyx oryzivorus

Global: 10,000,000
Continental U.S. & Canada:
10,000,000

State Threatened: NJ

BCRBCC Breeding:
9,10,11,12,13,14,17,19,22,23,24
,28,30



Bonaparte's Gull
Chroicocephalus philadelphia

Global: 790,000
Continental U.S. & Canada:
790,000

Common



Broad-winged Hawk
Buteo platypterus

Global: 1,900,000
Continental U.S. & Canada:
1,800,000

Federally Endangered: Ssp.
brunnescens only -wherever
found

State Endangered: DE



Bronzed Cowbird
Molothrus aeneus

Global: 6,600,000
Continental U.S. & Canada:
820,000

Common





Brown Pelican
Pelecanus occidentalis

Global: 370,000
Continental U.S. & Canada:
100,000

State Endangered: MS, WA, NM, (OR - ssp californicus only)

BCRBCC Breeding: 101



Brown-headed Cowbird
Molothrus ater

Global: 130,000,000
Continental U.S. & Canada:
130,000,000

Common



Buff-breasted Sandpiper
Calidris subruficollis

Global: 56,000
Continental U.S. & Canada:
56,000

BCRBCC Non Breeding:
11,13,18,19,20,21,22,23,36,37

BCRBCC Breeding: 3



Bufflehead
Bucephala albeola

Global: 1,300,000
Continental U.S. & Canada:
1,300,000

Common



Burrowing Owl
Athene cunicularia

Global: 18,000,000
Continental U.S. & Canada:
990,000

State Threatened: CO

BCRBCC Breeding: 31 (ssp. floridana only); 17, 19, 32, 33, 35 (ssp. hypugaea only)



Canada Goose
Branta canadensis

Global: 7,600,000
Continental U.S. & Canada:
7,500,000

Common





Canvasback
Aythya valisineria

Global: 690,000
Continental U.S. & Canada:
690,000

Common



Caspian Tern
Hydroprogne caspia

Global: 530,000
Continental U.S. & Canada:
78,000

State Threatened: MI, NC

State Endangered: WI



Cattle Egret
Bubulcus ibis

Global: 48,000,000
Continental U.S. & Canada:
2,800,000

State Threatened: NJ

State Endangered: OH



Chestnut-sided Warbler
Setophaga pensylvanica

Global: 18,000,000
Continental U.S. & Canada:
18,000,000

Common



Chimney Swift
Chaetura pelagica

Global: 8,800,000
Continental U.S. & Canada:
8,800,000

BCRBCC Breeding:
11,12,13,14,18,19,20,21,22,23,24,25,26,27,28,29,30,31,36,37



Clapper Rail
Rallus crepitans

Global: 210,000
Continental U.S. & Canada:
170,000

Federally Endangered: Ssp. obsoletus only - wherever found



Cliff Swallow

Global: 83,000,000
Continental U.S. & Canada:
78,000,000

Common





*Petrochelidon
pyrrhonota*



**Common
Gallinule**
*Gallinula
galeata*

Global: 5,100,000
Continental U.S. & Canada:
500,000

Federally Endangered: Ssp.
sandvicensis only - wherever
found

State Threatened: ME

State Endangered: CT, IN, (HI -
ssp. sandvicensis only)



**Common
Goldeneye**
*Bucephala
clangula*

Global: 2,500,000
Continental U.S. & Canada:
1,200,000

Common



**Common
Grackle**
*Quiscalus
quiscula*

Global: 67,000,000
Continental U.S. & Canada:
67,000,000

Common



**Common
Loon**
Gavia immer

Global: 1,200,000
Continental U.S. & Canada:
1,100,000

State Threatened: NH, MI



**Common
Nighthawk**
*Chordeiles
minor*

Global: 23,000,000
Continental U.S. & Canada:
22,000,000

State Endangered: CT, NH, VT

BCRBCC Breeding: 35
(ssp.henryi only), 28 (ssp. minor
only)



**Common
Tern**
*Sterna
hirundo*

Global: 2,800,000
Continental U.S. & Canada:
470,000

State Threatened: NH, NY, MI,
MN

State Endangered: DE, MD,
PA, VT, OH, WI



BCRBCC Breeding: 12



Common

Global: 77,000,000
Continental U.S. & Canada:
76,000,000

BCRBCC Breeding: 32



Yellowthroat
Geothlypis trichas



**Cooper's
Hawk**
*Accipiter
cooperii*

Global: 1,000,000
Continental U.S. & Canada:
840,000

Common



Dickcissel
*Spiza
americana*

Global: 28,000,000
Continental U.S. & Canada:
28,000,000

State Endangered: PA

BCRBCC Breeding: 37



**Double-
crested
Cormorant**

Global: Not yet available
Continental U.S. & Canada: Not
yet available

Common

*Phalacrocorax auritus*

Downy

Global: 13,000,000
Continental U.S. & Canada:
13,000,000

Common



Woodpecker
Dryobates pubescens

Dunlin
*Calidris
alpina*

Global: 5,500,000
Continental U.S. & Canada:
1,500,000

BCRBCC Non Breeding:
11,12,13,22,23,27,30,31,37,2



BCRBCC Breeding: 3



**Eastern
Bluebird**
Sialia sialis

Global: 23,000,000
Continental U.S. & Canada:
21,000,000

Common

**Eastern
Kingbird**
*Tyrannus
tyrannus*

Global: 26,000,000
Continental U.S. & Canada:
26,000,000

Common

Meadowlark
Sturnella magna

Eastern

Global: 34,000,000
Continental U.S. & Canada:
2,900,000

State Threatened: CT

BCRBCC Breeding:
13,20,35,36



**Eastern
Phoebe**
*Sayornis
phoebe*

Global: 35,000,000
Continental U.S. & Canada:
35,000,000

Common

**Eastern
Wood-
Pewee**
*Contopus
virens*

Global: 6,500,000
Continental U.S. & Canada:
6,500,000

Common

EUCD

**Eurasian
Collared-
Dove**
*Streptopelia
decaocto*

Global: 85,000,000
Continental U.S. & Canada:
8,700,000

Not Available



European Starling
Sturnus vulgaris

Global: 250,000,000
Continental U.S. & Canada:
93,000,000

Common



Fish Crow
Corvus ossifragus

Global: 470,000
Continental U.S. & Canada:
470,000

Common



Forster's Tern
Sterna forsteri

Global: 150,000
Continental U.S. & Canada:
130,000

State Threatened: MI

State Endangered: DE, WI

BCRBCC Breeding: 9,37



Franklin's Gull
Leucophaeus pipixcan

Global: 2,300,000
Continental U.S. & Canada:
2,300,000

BCRBCC Breeding: 9,10,11,17



Gadwall
Mareca strepera

Global: 4,400,000
Continental U.S. & Canada:
3,400,000

Common



Glaucous Gull
Larus hyperboreus

Global: 970,000
Continental U.S. & Canada:
170,000

Common





Gray Catbird
Dumetella carolinensis

Global: 29,000,000
Continental U.S. & Canada:
29,000,000

Common



marinus

Great Black-backed Gull
Larus

Global: 370,000
Continental U.S. & Canada:
150,000

Common



Great Blue Heron
Ardea herodias

Global: 700,000
Continental U.S. & Canada:
620,000

BCRBCC Breeding: 31



Great Egret
Ardea alba

Global: 9,500,000
Continental U.S. & Canada:
710,000

State Threatened: CT, WI

State Endangered: PA



Great-tailed Grackle
Quiscalus mexicanus

Global: 30,000,000
Continental U.S. & Canada:
8,200,000

Common



Greater Scaup
Aythya marila

Global: 1,200,000
Continental U.S. & Canada:
720,000

Common



Greater Yellowlegs

Global: 140,000
Continental U.S. & Canada:
140,000

Common





Tringa

melanoleuca



**Green
Heron**

*Butorides
virescens*

Global: 1,200,000
Continental U.S. & Canada:
770,000

Common



**Green-
winged
Teal**

Anas crecca

Global: 6,700,000
Continental U.S. & Canada:
3,900,000

Common



**Gull-billed
Tern**

*Gelocheidon
nilotica*

Global: 190,000
Continental U.S. & Canada:
8,000

State Threatened: VA, NC

State Endangered: MD

BCRBCC Breeding:
27,30,31,32,33,36,37



**Herring
Gull**

*Larus
argentatus*

Global: 3,900,000
Continental U.S. & Canada:
2,900,000

Common



**Hooded
Merganser**

*Lophodytes
cucullatus*

Global: 1,100,000
Continental U.S. & Canada:
1,100,000

Common



**Hooded
Warbler**

*Setophaga
citrina*

Global: 5,200,000
Continental U.S. & Canada:
5,200,000

State Threatened: WI

State Endangered: DE





Horned Lark
Eremophila alpestris

Global: 140,000,000
Continental U.S. & Canada:
100,000,000

Federally Threatened: Ssp. strigata only - wherever found

State Threatened: NJ

State Endangered: CT, (WA - ssp. strigata only)



House Finch
Haemorhous mexicanus

Global: 40,000,000
Continental U.S. & Canada:
33,000,000

Common



House Sparrow
Passer domesticus

Global: 740,000,000
Continental U.S. & Canada:
93,000,000

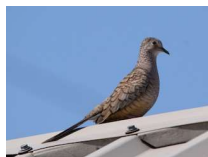
Common



House Wren
Troglodytes aedon

Global: 190,000,000
Continental U.S. & Canada:
43,000,000

Common



Inca Dove
Columbina inca

Global: 4,700,000
Continental U.S. & Canada:
620,000

Common



Indigo Bunting
Passerina cyanea

Global: 77,000,000
Continental U.S. & Canada:
77,000,000

Common



Killdeer
Charadrius vociferus

Global: 2,300,000
Continental U.S. & Canada:
1,800,000

Common





King Rail

*Rallus
elegans*

Global: 69,000
Continental U.S. & Canada:
63,000

State Threatened: MA, NY

State Endangered: CT, PA, OH,
IN, IA, MI, MO

BCRBCC Breeding:
19,22,23,24,25,26,27,29,30,31,3
6,37



Laughing Gull

*Leucophaeus
atricilla*

Global: 1,600,000
Continental U.S. & Canada:
680,000

Common



Least Bittern

*Ixobrychus
exilis*

Global: 310,000
Continental U.S. & Canada:
130,000

State Threatened: CT, NY, OH,
MI

State Endangered: MA, ME,
PA, IN



Least Sandpiper

*Calidris
minutilla*

Global: 700,000
Continental U.S. & Canada:
700,000

Common



Least Tern

*Sternula
antillarum*

Global: 120,000
Continental U.S. & Canada:
52,000

Federally Endangered: Ssp.
browni only - wherever found

State Threatened: CT, NY, IL,
MD, SC

State Endangered: DE, ME,
NH, NJ, CO, IN, IA, KS, KY, NE,
NM, (OR, CA - ssp. browni only),
(TX, [LA], MS, MO, SD, TN -
ssp. athalassos only)



BCRBCC Breeding:
27,30,31,37



**Lesser
Black-
backed
Gull**

Larus fuscus

Global: 1,000,000
Continental U.S. & Canada: Not
yet available

Common



**Lesser
Scaup**

Aythya affinis

Global: 3,700,000
Continental U.S. & Canada:
3,700,000

Common



**Lesser
Yellowlegs**

*Tringa
flavipes*

Global: 660,000
Continental U.S. & Canada:
660,000

BCRBCC Non Breeding:
5,9,10,11,12,13,14,16,17,18,19,
20,21,22,23,24,25,26,27,30,31,3
6,37, 101

BCRBCC Breeding: 4



**Little Blue
Heron**

*Egretta
caerulea*

Global: 1,100,000
Continental U.S. & Canada:
270,000

BCRBCC Breeding: 21,26



Loggerhead Shrike

Lanius ludovicianus

Global: 7,000,000
Continental U.S. & Canada:
4,600,000

Federally Endangered: Ssp.
mearnsi only - wherever found

State Threatened: VA

State Endangered: MD, NY, PA,
OH, IN, MN, WI, (NJ - ssp.
migrans only)

BCRBCC Breeding: 21,22,37





**Long-billed
Curlew**
*Numenius
americanus*

Global: 140,000
Continental U.S. & Canada:
140,000

BCRBCC Non Breeding:
20,21,35,36,37

BCRBCC Breeding: 11,18



**Long-billed
Dowitcher**
*Limnodromus
scolopaceus*

Global: 650,000
Continental U.S. & Canada:
520,000

Common



Magnificent Frigatebird
Fregata magnificens

Global: 130,000
Continental U.S. & Canada: Not
yet available

BCRBCC Non Breeding:
M19,M20

BCRBCC Breeding: 31,101



**Magnolia
Warbler**
*Setophaga
magnolia*

Global: 39,000,000
Continental U.S. & Canada:
39,000,000

Common



Mallard
Anas

Global: 19,000,000
Continental U.S. & Canada:
11,000,000

Common

platyrhynchos



**Marbled
Godwit**
Limosa fedoa

Global: 170,000
Continental U.S. & Canada:
170,000

BCRBCC Non Breeding:
5,9,27,32,33,37

BCRBCC Breeding: 2,11,17,23





Marsh Wren
Cistothorus palustris

Global: 11,000,000
Continental U.S. & Canada:
11,000,000

State Endangered: IN
BCRBCC Breeding: 31



Merlin
Falco columbarius

Global: 3,200,000
Continental U.S. & Canada:
1,600,000

State Threatened: MI



Mottled Duck
Anas fulvigula

Global: 180,000
Continental U.S. & Canada:
180,000

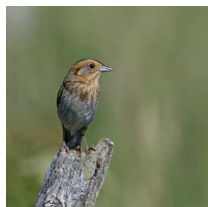
Common



Mourning Dove
Zenaida macroura

Global: 150,000,000
Continental U.S. & Canada:
130,000,000

Common



Nelson's Sparrow
Ammospiza nelsoni

Global: 1,000,000
Continental U.S. & Canada:
1,000,000

Common



Northern Cardinal
Cardinalis cardinalis

Global: 130,000,000
Continental U.S. & Canada:
120,000,000

Common



Northern Gannet
Morus bassanus

Global: 720,000
Continental U.S. & Canada:
140,000

Common





Northern Harrier
Circus hudsonius

Global: 820,000
Continental U.S. & Canada:
820,000

State Threatened: MA, NY, PA

State Endangered: CT, DE, NH,
NJ, RI, OH, IN, IA, MO

BCRBCC Breeding: 16,17,19



Northern

Global: 43,000,000
Continental U.S. & Canada:
34,000,000

Common



Mockingbird
Mimus polyglottos



Northern Parula
Setophaga americana

Global: 18,000,000
Continental U.S. & Canada:
18,000,000

State Threatened: MA



Northern Pintail
Anas acuta

Global: 5,100,000
Continental U.S. & Canada:
3,200,000

Common



Northern Rough-winged Swallow

Global: 27,000,000
Continental U.S. & Canada:
20,000,000

Common



Stelgidopteryx serripennis



Northern Shoveler
Spatula clypeata

Global: 5,900,000
Continental U.S. & Canada:
4,400,000

Common





Northern

Global: 17,000,000
Continental U.S. & Canada:
17,000,000

Common



Waterthrush

Parkesia noveboracensis



Orange-crowned Warbler

Leiothlypis celata

Global: 82,000,000
Continental U.S. & Canada:
82,000,000

Common



Orchard Oriole

Icterus spurius

Global: 12,000,000
Continental U.S. & Canada:
11,000,000

BCRBCC Breeding: 36



Osprey

Pandion haliaetus

Global: 1,200,000
Continental U.S. & Canada:
400,000

State Threatened: NJ, IL, SD



Painted Bunting

Passerina ciris

Global: 15,000,000
Continental U.S. & Canada:
13,000,000

**BCRBCC Breeding:
20,27,31,36,37**



Palm Warbler

Setophaga palmarum

Global: 13,000,000
Continental U.S. & Canada:
13,000,000

Common



Pectoral Sandpiper

Global: 1,600,000
Continental U.S. & Canada:
1,500,000

**BCRBCC Non Breeding:
9,11,12,13,16,18,19,20,21,22,23**





Calidris
melanotos

,25,26,27,30,31,36,37

BCRBCC Breeding: 3



**Peregrine
Falcon**
Falco
peregrinus

Global: 340,000
Continental U.S. & Canada:
72,000

State Threatened: CT, NH, VA,
ID, NM, TN, (TX, SC - ssp.
anatum only)

State Endangered: MA, ME,
NJ, NY, PA, RI, MI, MS, MO, SD,
WI



**Pied-billed
Grebe**
Podilymbus
podiceps

Global: 3,100,000
Continental U.S. & Canada:
1,100,000

State Threatened: NH, NY

State Endangered: MA, CT,
DE, NJ, RI



**Pine
Warbler**
Setophaga
pinus

Global: 13,000,000
Continental U.S. & Canada:
13,000,000

Common



**Piping
Plover**
Charadrius
melodus

Global: 8,400
Continental U.S. & Canada:
8,400

Federally Threatened: [Atlantic
Coast and Northern Great Plains
populations] - Wherever found,
except those areas where listed
as endangered.

Federally Endangered: [Great
Lakes watershed DPS] - Great
Lakes, watershed in States of IL,
IN, MI, MN, NY, OH, PA, and WI
and Canada (Ont.)

State Threatened: MA, CT, VA,
TX, GA, KS, MT, [LA], NE, SD,
(CO - ssp. circumcinctus only)

State Endangered: DE, MD,
ME, NH, NJ, NY, OH, IN, IA, MI,
MS, NM, WI, SC





Prairie Warbler
Setophaga discolor

Global: 3,600,000
Continental U.S. & Canada:
3,600,000

State Endangered: MI

BCRBCC Breeding:
13,14,24,25,26,27,28,29,30,31



Prothonotary Warbler
Protonotaria citrea

Global: 2,100,000
Continental U.S. & Canada:
2,100,000

BCRBCC Breeding:
21,22,24,25,26,27,28,29,30,37



Purple Martin
Progne subis

Global: 9,300,000
Continental U.S. & Canada:
8,700,000

Common



Red Knot
Calidris canutus

Global: 1,000,000
Continental U.S. & Canada:
140,000

Federally Threatened: Ssp.
rufa only

State Threatened: [LA], (MD,
OH, MT, IL, KY, NE - ssp. rufa
only)

State Endangered: (DE, NJ, IN
- ssp. rufa only)

BCRBCC Non Breeding:
5,9,32,37

BCRBCC Breeding: 2,3



Red-breasted Merganser
Mergus serrator

Global: 600,000
Continental U.S. & Canada:
400,000

Common





**Red-eyed
Vireo**
*Vireo
olivaceus*

Global: 130,000,000
Continental U.S. & Canada:
130,000,000

Common



**Red-
shouldered
Hawk**
*Buteo
lineatus*

Global: 1,900,000
Continental U.S. & Canada:
1,800,000

State Threatened: MI, WI

State Endangered: NJ



**Red-tailed
Hawk**
*Buteo
jamaicensis*

Global: 3,100,000
Continental U.S. & Canada:
2,800,000

Common



**Red-
winged
Blackbird**
*Agelaius
phoeniceus*

Global: 180,000,000
Continental U.S. & Canada:
170,000,000

Common



**Reddish
Egret**
*Egretta
rufescens*

Global: 15,000
Continental U.S. & Canada:
2,400

State Threatened: TX

BCRBCC Breeding: 31,37



Redhead
*Aythya
americana*

Global: 1,200,000
Continental U.S. & Canada:
1,200,000

Common





Ring-billed Gull

Larus

delawarensis

Global: 3,800,000
Continental U.S. & Canada:
3,700,000

Common



Ring-necked Duck

Aythya

collaris

Global: 2,000,000
Continental U.S. & Canada:
2,000,000

Common



Rock Pigeon

Columba livia

Global: 140,000,000
Continental U.S. & Canada:
16,000,000

Common



Rose-breasted Grosbeak

Pheucticus

ludovicianus

Global: 4,700,000
Continental U.S. & Canada:
4,700,000

BCRBCC Breeding: 13,14



Roseate Spoonbill

Platalea ajaja

Global: 170,000
Continental U.S. & Canada:
11,000

Common



Rough-legged Hawk

Buteo

lagopus

Global: 590,000
Continental U.S. & Canada:
300,000

Common



Royal Tern

Thalasseus

maximus

Global: 55,000
Continental U.S. & Canada:
35,000

State Endangered: MD





Ruby-crowned Kinglet
Regulus calendula

Global: Not yet available
Continental U.S. & Canada: Not yet available

Common



Ruby-throated

Global: 36,000,000
Continental U.S. & Canada: 36,000,000

Common



Hummingbird
Archilochus colubris



Ruddy Duck
Oxyura jamaicensis

Global: 1,700,000
Continental U.S. & Canada: 1,300,000

BCRBCC Breeding: 101



Ruddy Turnstone
Arenaria interpres

Global: 600,000
Continental U.S. & Canada: 250,000

BCRBCC Non Breeding: 11,12,13,22,23,27,30,31,37



Sanderling
Calidris alba

Global: 650,000
Continental U.S. & Canada: 300,000

Common



Sandwich Tern
Thalasseus sandvicensis

Global: 1,000,000
Continental U.S. & Canada: 94,000

BCRBCC Breeding: 37





sandwichensis

Savannah Sparrow
Passerculus

Global: 170,000,000
Continental U.S. & Canada:
170,000,000

State Threatened: NJ

State Endangered: CA (ssp. beldingi only)

BCRBCC Breeding: 32



Scarlet Tanager
Piranga olivacea

Global: 2,600,000
Continental U.S. & Canada:
2,600,000

BCRBCC Breeding: 30



Scissor-tailed Flycatcher
Tyrannus forficatus

Global: 9,100,000
Continental U.S. & Canada:
7,900,000

Common



Seaside Sparrow
Ammodramus maritima

Global: 200,000
Continental U.S. & Canada:
200,000

Federally Endangered: Ssp. mirabilis only - wherever found

State Threatened: CT

State Endangered: NM

BCRBCC Breeding:
27,30,31,37



Sedge Wren
Cistothorus stellaris

Global: 5,000,000
Continental U.S. & Canada:
5,000,000

State Threatened: NY

State Endangered: MA, CT, DE, MD, ME, NH, NJ, PA, VT, IN





Semipalmated Plover
Charadrius semipalmatus

Global: 200,000
Continental U.S. & Canada:
200,000

Common



Semipalmated Sandpiper
Calidris pusilla

Global: 2,300,000
Continental U.S. & Canada:
2,300,000

BCRBCC Non Breeding:
12,13,14,22,23,24,26,27,30,31,1
01



Sharp-shinned Hawk
Accipiter striatus

Global: 1,000,000
Continental U.S. & Canada:
410,000

Federally Endangered: Ssp.
venator only - wherever found

State Endangered: CT



Short-billed Dowitcher
Limnodromus griseus

Global: 150,000
Continental U.S. & Canada:
150,000

BCRBCC Non Breeding:
11,13,22,23,27,30,31,32,37

BCRBCC Breeding: 2.4.5



Snowy Egret
Egretta thula

Global: 2,100,000
Continental U.S. & Canada:
220,000

State Threatened: CT

State Endangered: OH, MO



Snowy Plover
Charadrius nivosus

Global: 31,000
Continental U.S. & Canada:
24,000

Federally Threatened: Pacific
Coast population of ssp. nivosus
only DPS-U.S.A. (CA, OR, WA),
Mexico (within 50 miles of
Pacific coast)



State Threatened: KS, (OR -
ssp. nivosus only)

State Endangered: MS, (WA -
ssp. nivosus only)

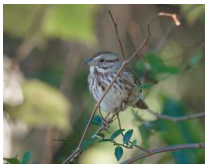
BCRBCC Breeding:
9,16,18,19,27,31,32,33,35,36,37
, 101 (ssp. tenuirostris only)



**Solitary
Sandpiper**
*Tringa
solitaria*

Global: 190,000
Continental U.S. & Canada:
190,000

BCRBCC Breeding: 4



**Song
Sparrow**
*Melospiza
melodia*

Global: 130,000,000
Continental U.S. & Canada:
130,000,000

BCRBCC Breeding: 32



Sora
*Porzana
carolina*

Global: 4,400,000
Continental U.S. & Canada:
4,400,000

Common



**Spotted
Sandpiper**
*Actitis
macularius*

Global: 660,000
Continental U.S. & Canada:
660,000

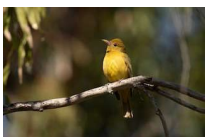
Common



**Stilt
Sandpiper**
*Calidris
himantopus*

Global: 1,200,000
Continental U.S. & Canada:
1,200,000

Common



**Summer
Tanager**
Piranga rubra

Global: 12,000,000
Continental U.S. & Canada:
11,000,000

Common





**Surf
Scoter**
*Melanitta
perspicillata*

Global: 470,000
Continental U.S. & Canada:
470,000

Common



Swainson's Thrush
Catharus ustulatus

Global: 120,000,000
Continental U.S. & Canada:
120,000,000

Common



**Swamp
Sparrow**
*Melospiza
georgiana*

Global: 23,000,000
Continental U.S. & Canada:
23,000,000

Common



**Tennessee
Warbler**
*Leiothlypis
peregrina*

Global: 110,000,000
Continental U.S. & Canada:
110,000,000

Common



**Tree
Swallow**
*Tachycineta
bicolor*

Global: 19,000,000
Continental U.S. & Canada:
19,000,000

Common



**Tricolored
Heron**
*Egretta
tricolor*

Global: 190,000
Continental U.S. & Canada:
58,000

Common



**Tropical
Kingbird**

Global: 200,000,000
Continental U.S. & Canada:
7,000

Common





Tyrannus

melancholicus



**Turkey
Vulture**

*Cathartes
aura*

Global: 28,000,000
Continental U.S. & Canada:
8,400,000

Common



**Virginia
Rail**

*Rallus
limicola*

Global: 240,000
Continental U.S. & Canada:
230,000

State Endangered: IN



**Western
Kingbird**

*Tyrannus
verticalis*

Global: 30,000,000
Continental U.S. & Canada:
29,000,000

Common



**Western
Sandpiper**

Calidris mauri

Global: 3,500,000
Continental U.S. & Canada:
3,500,000

Common



Whimbrel

*Numenius
phaeopus*

Global: 1,800,000
Continental U.S. & Canada:
80,000

BCRBCC Non Breeding:
12,14,18,19,27,30,31,37



White Ibis

*Eudocimus
albus*

Global: 2,400,000
Continental U.S. & Canada:
1,200,000

Common



**White-
crowned**

Global: 79,000,000
Continental U.S. & Canada:

Common





Sparrow
Zonotrichia
leucophrys

79,000,000



White-eyed Vireo
Vireo griseus

Global: 24,000,000
Continental U.S. & Canada:
22,000,000

Common



White-faced Ibis
Plegadis
chihi

Global: 7,200,000
Continental U.S. & Canada:
1,300,000

State Threatened: TX



White-rumped Sandpiper
Calidris
fuscicollis

Global: 1,700,000
Continental U.S. & Canada:
1,700,000

Common



White-throated Sparrow
Zonotrichia
albicollis

Global: 160,000,000
Continental U.S. & Canada:
160,000,000

Common



White-winged Dove
Zenaida
asiatica

Global: 14,000,000
Continental U.S. & Canada:
5,200,000

Common





White-winged Scoter
Melanitta deglandi

Global: 400,000
Continental U.S. & Canada:
400,000

Common



Willet
Tringa semipalmata

Global: 250,000
Continental U.S. & Canada:
250,000

BCRBCC Non Breeding:
5,32,33

BCRBCC Breeding:
9,10,11,14,15,17,19,27,30,31,37



Wilson's Phalarope
Phalaropus tricolor

Global: 1,500,000
Continental U.S. & Canada:
1,500,000

State Threatened: MN



Wilson's Plover
Charadrius wilsonia

Global: 22,000
Continental U.S. & Canada:
8,600

State Threatened: SC

State Endangered: MD, VA

BCRBCC Breeding:
27,31,36,37



Wilson's Snipe
Gallinago delicata

Global: 2,000,000
Continental U.S. & Canada:
2,000,000

Common



Wood Duck
Aix sponsa

Global: 4,600,000
Continental U.S. & Canada:
4,600,000

Common





**Wood
Thrush**
*Hylocichla
mustelina*

Global: 12,000,000
Continental U.S. & Canada:
12,000,000

BCRBCC Breeding:
12,13,14,22,23,24,25,26,27,28,29,30



**Worm-
eating
Warbler**
*Helmitheros
vermivorum*

Global: 780,000
Continental U.S. & Canada:
780,000

State Endangered: WI



**Yellow
Warbler**
*Setophaga
petechia*

Global: 97,000,000
Continental U.S. & Canada:
93,000,000

Common



**Yellow-
bellied
Sapsucker**
*Sphyrapicus
varius*

Global: 14,000,000
Continental U.S. & Canada:
14,000,000

Common



**Yellow-
billed
Cuckoo**
*Coccyzus
americanus*

Global: 9,600,000
Continental U.S. & Canada:
8,400,000

Federally Threatened: Western
DPS only

State Threatened: MT

State Endangered: CA, ID

BCRBCC Breeding: 28



violacea


**Yellow-
crowned
Night-
Heron**
Nyctanassa

Global: 400,000
Continental U.S. & Canada:
130,000

State Threatened: NJ, WI

State Endangered: DE, PA, IN





Yellow-rumped Warbler

Setophaga coronata

Global: 170,000,000

Continental U.S. & Canada: 170,000,000

Common

▼



Yellow-throated Warbler

Setophaga dominica

Global: 2,000,000

Continental U.S. & Canada: 2,000,000

State Threatened: MI

State Endangered: WI

▼



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:

07/30/2024 21:53:37 UTC

Project code: 2024-0117210

Project Name: Port Fourchon Marsh Creation - TE-0171

Subject: Consistency letter for the project named 'Port Fourchon Marsh Creation - TE-0171' 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 Shalyn Bauschlicher:

The U.S. Fish and Wildlife Service (Service) received on July 30, 2024 your effects determination(s) for the 'Port Fourchon Marsh Creation - TE-0171' (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 ssp. 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
Rufa 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 to discuss methods to avoid or minimize potential adverse effects to those species.

This IPaC-generated letter only applies to the species in the above table and **does not** apply to the following ESA-protected species that also may occur in the Action Area:

- Monarch Butterfly *Danaus plexippus* Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

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 Ulgonda Kirkpatrick (phone: 321/972-9089, e-mail: ulgonda_kirkpatrick@fws.gov) with any questions regarding potential impacts to bald or golden eagles.

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act.) The project, as proposed,

Is not Likely to adversely effect those resources

Deputy Field Supervisor



12/19/2024

Supervisor

Date

FOR
Brigette Firmin,
Field Supervisor

Louisiana Ecological Services Office
U.S. Fish and Wildlife Service

Sea turtles are not known to nest in the project area.

DUSTIN
GARIG

Digitally signed by
DUSTIN GARIG
Date: 2024.12.19
12:53:36 -06'00'

Action Description

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

1. Name

Port Fourchon Marsh Creation - TE-0171

2. Description

The following description was provided for the project 'Port Fourchon Marsh Creation - TE-0171':

The TE-0171 Port Fourchon Marsh Creation project location is west of Belle Pass, southwest of Port Fourchon, in Region 3 of the Terrebonne Basin within Lafourche Parish, Louisiana. Phase I funding was granted through the Coastal Wetlands Planning, Protection and Restoration Act in January 2022 as part of Priority Project List 31.

The TE-0171 proposes creation and nourishment 595 acres of marsh with material dredged from Belle Pass. Approximately 507 acres of open water would be turned into marsh and 88 acres of existing marsh would be nourished with hydraulically dredged sediment from the borrow source. The borrow area of Belle Pass would start at Sta. 140+00 (approximately 1.9 miles north of the Port Fourchon jetties) and conclude at Sta. 365+00 (approximately 1.8 miles south of the jetties, in the Gulf of Mexico). The associated dredge work would be conducted using a cutterhead suction dredge. The dredge material pipeline corridor passes around the jetties, and the pipeline would come onshore across the beach into the project area. The pipeline would be temporary and removed after construction.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@29.10190185,-90.25064115460222,14z>



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:
e. 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. Will the project directly impact suitable eastern black rail nesting habitat (shallow inundated wetlands containing mesic to hydric soils with dense herbaceous plant cover) and/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

13. [Hidden Semantic] Does the project intersect the west indian manatee AOI?

Automatically answered

Yes

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

Automatically answered

Yes

15. Is the project footprint entirely on land?

No

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

Yes

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

Yes

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

Yes

19. [Hidden Semantic] Does the project intersect the sea turtle AOI?

Automatically answered

Yes

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

No

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

Yes

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

Automatically answered

No

23. (Semantic) Does the project intersect the Louisiana black bear Range?

Automatically answered

No

IPAC USER CONTACT INFORMATION

Agency: Environmental Protection Agency
Name: Shalyn Bauschlicher
Address: 1201 Elm St.
Address Line 2: Ste 500
City: Dallas
State: TX
Zip: 75270
Email: bauschlicher.shalyn@epa.gov
Phone: 2146657592



REGION 6

DALLAS, TX 75270

March 20, 2025

Mr. David Bernhart
Assistant Regional Administrator for Protected Resources
National Marine Fisheries Service
Southeast Regional Office
St. Petersburg, Florida

Re: Request for Initiation of Expedited Informal Consultation under section 7(a)(2) of the Endangered Species Act for Port Fourchon Marsh Creation (TE-0171) Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) Project

Dear Mr. Bernhart:

The United States Environmental Protection Agency Region 6 proposes to carry out the proposed project as described below. We request initiation of informal consultation under section 7(a)(2) of the Endangered Species Act (ESA) for the Port Fourchon Marsh Creation Project (TE-0171). We have determined that the proposed activity may affect, but is not likely to adversely affect, the ESA-listed species and critical habitat included in the table below. Our supporting analysis is provided below. We request your written concurrence with our determinations.

Pursuant to our request for expedited informal consultation, we are providing, enclosing, or otherwise identifying the following information:

- A description of the action to be considered;
- A description of the action area;
- A description of any listed species or critical habitat that may be affected by the action; and
- An analysis of the potential routes of effect on any listed species or critical habitat.

Proposed Action

The proposed action is intended to create and nourish a 543-acre marsh creation area (MCA) with an approximate center located at Latitude 29.102572° North and Longitude -90.251567° West. Of the 543 acres, approximately 445 acres of open water would be turned into marsh and 98 acres of existing marsh will be nourished with hydraulically dredged sediment from the Belle Pass borrow area (BA). Earthen containment dikes (ECDs) would be constructed to contain dredged material and equipment

access channel/corridors (EACs) have been identified for access to the project area. During construction, settlement plates and grade stakes will be utilized within the MCA to monitor and manage marsh elevations. Grade stakes will be removed at the end of construction and 11 settlement plates will remain for purposes of monitoring long-term MCA elevations. Bird abatement is anticipated during nesting season primarily in upland areas. Shortly after construction is complete, plans under a separate contract include planting of two rows of Seashore Paspalum on the top of the constructed earthen containment dikes (ECDs) along with two rows of Smooth Cordgrass planted on the outside slope of the north facing ECD. Construction would commence in approximately the first quarter of 2027. Based upon duration calculations, the overall construction duration is estimated at 485 days including contingency days. Equipment mobilization/demobilization is estimated at 66 days. ECDs construction is estimated at 184 days and equipment access channel dredging is estimated at 42 days. Dredging activities for construction of the MCA is estimated at 193 days. Work may occur on a continuous basis with no environmental windows for operations identified. The planned dredging location is a 303-acre, 4.26-mile area within Belle Pass. Hydraulic dredging of approximately 2.6 million cubic yards (CY) of mostly clay sediment from the BA would begin in Belle Pass at station (Sta.) 140+00 (29.1097972°, -090.2090944°) and extend to the south beyond the Belle Pass jetties into the Gulf of Mexico to Sta. 360+00 (29.0553944°, -090.2327750°), for a total length of approximately 4.17 miles (Figure 1). The BA location is within a federal navigation channel (Bayou Lafourche/Belle Pass), which is currently maintained by USACE to an elevation of -24 ft Mean Low Gulf (MLG) (-25.87 ft NAVD 88) with three (3) ft of advance maintenance from Sta. 60+00 to Sta. 240+00 (inshore portion). The channel then deepens to -26 ft MLG (-27.87 ft NAVD 88), with four (4) ft of advance maintenance from Sta. 240+00 to Sta. 310+00 (offshore portion). The USACE performs maintenance dredging approximately every other year to keep Belle Pass and Bayou Lafourche at the authorized navigable depth. Potential TE-0171 project overlaps exist between the Port Fourchon Belle Pass Channel Deepening project (SERO-2024-01145) and the TE-0134 project (SERO-2018-00365). It is anticipated that the construction of the TE-0134 project will precede the construction of TE-0171. Therefore, an existing mudline elevation of -33.61 ft NAVD 88 (-33 ft MLLW) has been assumed from Sta. 140+00 to Sta. 330+00 for the design of TE-0171 BA. The Port Fourchon Belle Pass Channel Deepening project is conditionally authorized to a dredging elevation of -30.61 NAVD 88 (-30 ft MLLW) with 3 feet of advance maintenance (-33 ft MLLW) in the inshore portion and -32.61 NAVD 88 (-32 ft MLLW) with 4 feet of advance maintenance (-36 ft MLLW) in the offshore portion. It is anticipated that TE-0171 will go to construction before the commencement of dredging activities under the Port Fourchon Belle Pass Channel Deepening project. This overlap with advance maintenance is not assumed to be a conflict. As designed, a TE-0171 BA cut depth of -42.39 ft MLLW (-43 NAVD 88) is proposed to ensure adequate available volume of material for construction of the new marsh area. TE-0171 proposes to beneficially utilize for marsh creation the dredged sediment that would otherwise be discharged at shoreline disposal sites. Dredged material would be transported to a marsh creation project site via a floating pipeline. Specific means and methods for dredging operations will be developed by the construction contractor. It is estimated a maximum of 20,996 linear feet (LF) of floating pipeline with an additional 3,000 LF of floating pontoon line will be required for dredging. Floating pipeline is not expected to be secured to the channel bottom. A hydraulic cutterhead dredge utilizes a spud system to move along a BA, and it is anticipated dredging activities would proceed along the BA from north to south. The

dredge pipeline would have one onshore connection to the marsh creation area and would be removed post-construction. A construction duration for the entire project, including contingency, is estimated to be 485 days, but it is anticipated the onshore connection would be limited to an estimated 259-day duration that is inclusive of mobilization/demobilization and dredging for marsh creation.

Two equipment access channels/corridors (EAC) have been proposed for this project. The first is the Timbalier EAC which would run through Timbalier Bay and allow for dredging of an access channel from between -3.29 ft MLLW (-3.9 ft NAVD 88) and -4.39 ft MLLW (-5.0 ft NAVD 88) to a maximum depth that corresponds to an elevation of -5.39 MLLW ft (-6 ft NAVD88), with a length of 9,227 ft, width of 50 ft and 2H:1V side slopes. The estimated dredged volume for the Timbalier EAC is 47,273 CY. A temporary spoil bank will be permitted on either side of the Timbalier EAC, and the construction contractor should return the area to its original condition before demobilizing. The dredging of the EAC will be optional and left to the discretion of the construction contractor. The second EAC, referred to as the Headland EAC, would run over the southern West Belle Headland beach and is best suited for marsh buggy equipment. This EAC would run parallel to the dredge pipeline corridor and use the earthen containment dike footprint from the previous CWPPRA project (TE-0052) directly south of the TE-0171 MCA. Board road matting has been included as a component of mobilization/demobilization to protect against adverse impacts, and the construction contractor should return the area to its original condition before demobilizing.

Earthen containment dikes (ECD) would be built around the MCA to an estimated length of 24,596 LF and are necessary for filling sediment to maximum target marsh elevations of $+3.20$ ft NAVD 88 with a $+0.25$ ft construction tolerance (maximum). The average mudline elevation in the MCA is approximately -1.24 ft NAVD 88 with the majority of the existing mudline between -1.0 ft NAVD 88 and -3.0 ft NAVD 88. Standard ECDs would be built at a height of $+3.25$ ft NAVD 88 to $+4.5$ ft NAVD 88 with an additional $+0.5$ ft of construction tolerance along the MCA where enhanced ECDs are not necessary. Standard ECDs borrow pits will be parallel to the ECD alignment and internal to the MCA. The Standard ECD borrow pits will include a bottom elevation of -10 ft NAVD 88, a bottom width of 10 ft, a side slope of 2H:1V and a 1.5 cut-to-fill ratio in design. In order to mitigate high wind and wave energies, enhanced ECDs with a more robust cross-sectional profile will be constructed along the north and west side of the MCA and would have an interior side slope of 5H:1V and an exterior side slope of 8H:1V. The crown width would be 10 ft with an elevation of $+4.5$ ft NAVD 88 with a $+0.5$ ft tolerance. Borrow pits that are parallel to the ECD alignment and are internal and external to the MCA would be necessary to produce the amount of earthen material anticipated for the enhanced ECD construction. Enhanced ECD borrow pits will include a bottom elevation of -10 ft NAVD 88, a bottom width of 25 ft, a side slope of 2H:1V and a 1.5 cut-to-fill ratio in design. Borrow pits, that are internal to the MCA have an estimated removed volume of 182,396 CY minimum to 190,798 CY maximum and would be backfilled with dredged material. The borrow pit, necessary to build the enhanced ECDs would be external to the MCA, be parallel to the enhanced ECD alignment, have an estimated removed volume of 88,223 CY, and would not be backfilled after use. An optional 7,422 ft long flotation channel with a width of 50 ft and 2H:1V side slopes is included in the design to an elevation of -6 ft NAVD 88 around the enhanced ECD and would allow for larger equipment such as clamshell buckets to reach the site if deemed necessary by the contractor. If constructed, the estimated 8,403 CY volume of material

removed for the flotation channel would be utilized for ECD construction and would not be backfilled after use.

Conservation Measures and BMPs

The NOAA *Protected Species Construction Conditions* and NMFS *Vessel Strike Avoidance Measures* would be followed as part of the project implementation (NMFS, 2021; NOAA, 2021). ESA section 7 consultation has been initiated with USFWS for all potentially affected species, for concurrence with our determination that the project may affect but would not likely adversely affect listed species. As sea turtles have been known to get stranded on beaches of Louisiana, contractors would be informed of the potential of encountering stranded turtles and would be directed to report any sightings to the Louisiana Department of Wildlife and Fisheries (LDWF) at (337) 962-7092. Project specific evaluations and coordination initiated with appropriate federal, state, and local agencies prior to construction activities included an evaluation of project construction upon affected sensitive species and associated habitat. Dredging work plan practices based upon contractor means and methods are available to reduce scour, erosion, turbidity, and sedimentation in the borrow areas. Best management practices could include staked hay bales and silt fencing if deemed necessary by the LDEQ permit to satisfy NPDES requirements. Compliance with the Clean Water Act, section 404 and section 301, would protect wetlands from unnecessary disturbance. Turbidity curtains may be required by the LDWF for proximity to two oyster leases that are located over 1,500 ft from the MCA, however, explicit permit requirements are not known at this time. If turbidity curtains are required, contractor specifications include general provisions to use appropriate material and properly secure turbidity barriers to limit entanglement, entrapment or impede movement of manatees that could similarly serve to minimize potential impacts to other ESA-listed species. Non-dredged areas adjacent to the borrow areas would provide source organisms for recolonization. ECDs would be degraded and gapped prior to construction demobilization with consideration given to allowing connectivity to TE-0052. Funding is budgeted for an operations and maintenance event three (3) years after construction. An adaptive management approach would be used to determine the best placement for gapping and tidal creek enhancement based upon post-construction field conditions. For budgeting purposes, it was assumed that ECDs would be gapped every 1000 ft, up to 10% of the enhanced dike and 20% of the remaining standard dike. A site inspection would be scheduled post-construction and at year three (3) to determine gapping locations. Staff from the NMFS HCD will be invited to this site inspection for gap siting.

Description of the Action Area

The *action area* is all areas to be affected by the Federal action and not merely the immediate area involved in the action (50 CFR 402.02). *Effects of the action* are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. The action area is distinct from and can be larger than the project footprint because some elements of the project may affect listed species or critical habitat some distance from the project

footprint. The action area, therefore, extends out to a point where no effects from the project are expected to occur.

The TE-0171 Port Fourchon Marsh Creation project and action area (Figure 1) is in the CWPPRA Region Three (3) of the Terrebonne Basin within Lafourche Parish, Louisiana. From 1932 to 2016, Terrebonne Basin had the greatest decrease in wetland area of any of Louisiana's coastal basins and had the greatest land loss rate in the state from 1985 to 2004 (Couvillon et al., 2011; 2017). According to the CWPPRA PPL31 wetland value assessment (WVA), the USGS estimated land loss rate per year was one of the highest in the State at $-1.56\%/year$ (USACE, 2021). For interior marsh loss, USGS evaluated land/water data within an extended boundary and surrounding the project area. Using a hyper-temporal analysis (1984-2024) for the extended boundary, USGS estimated the land loss rate to be -0.97% per year. In this area, coastal wetland loss can be attributed to both anthropogenic and natural factors, such as drilling and dredging for oil and gas, flooding marshes from sea-level rise, storm-driven erosion from Hurricanes Katrina (2005), Rita (2005), Gustav (2008), Isaac (2012), Zeta (2020), Ida (2021), and Francine (2024); Tropical Storm Barry (2019); and subsidence. The subsidence rate in this area is 10.21 millimeters/year which is equivalent to 0.67 ft over the 20-year project life of TE-0171 (Fitzpatrick et al., 2021).

A majority of the MCA area has historically been open water with Raccoon Pass to the southwest, flowing between the West Belle Pass Barrier Split and the Eastern Timbalier Barrier Islands. Additionally, there has been a historic northern migration of the Eastern Timbalier Barrier Island systems since the 1880s with various changes in barrier island morphology, which include the development of overwash fans within the MCA. The eastern portion of the MCA has historically been vegetated, coastal marsh with various tidal creeks and ponds. There has been noticeable erosion of the wetland area over time, which is consistent with significant coastal wetland erosion within the Terrebonne hydrologic basin. Borings of near-surface soils at the MCA are predominantly organic clays/peat/humus underlain primarily by medium dense sands, and the majority of the BA consists of clay. Habitats in the MCA include estuarine emergent marsh, estuarine water bottoms, and estuarine water column, and the borrow area contains marine water column, marine water bottoms (soft bottom), and nearshore waters. Submerged aquatic vegetation habitat is not present in the project area. Black mangrove has been identified in the existing remnant marsh areas within the MCA and may be found along the flooded marsh edges of the barrier islands and on the banks of tidal streams, ponds, and bays. Although contractor specifications include general provisions for dredged material placement in such a manner to ensure that negative impacts are avoided or minimized to the maximum extent practicable, activities associated ECD construction in remnant marsh areas and placement of dredged material in marsh nourishment areas may result in impacts to black mangrove. It is expected that any adverse impacts to black mangrove habitat would be temporary in nature. Long-term positive impacts would result from the creation and nourishment of intertidal wetlands, which would increase black mangrove habitat. Vegetative succession would occur as the constructed marsh platform elevation settles.

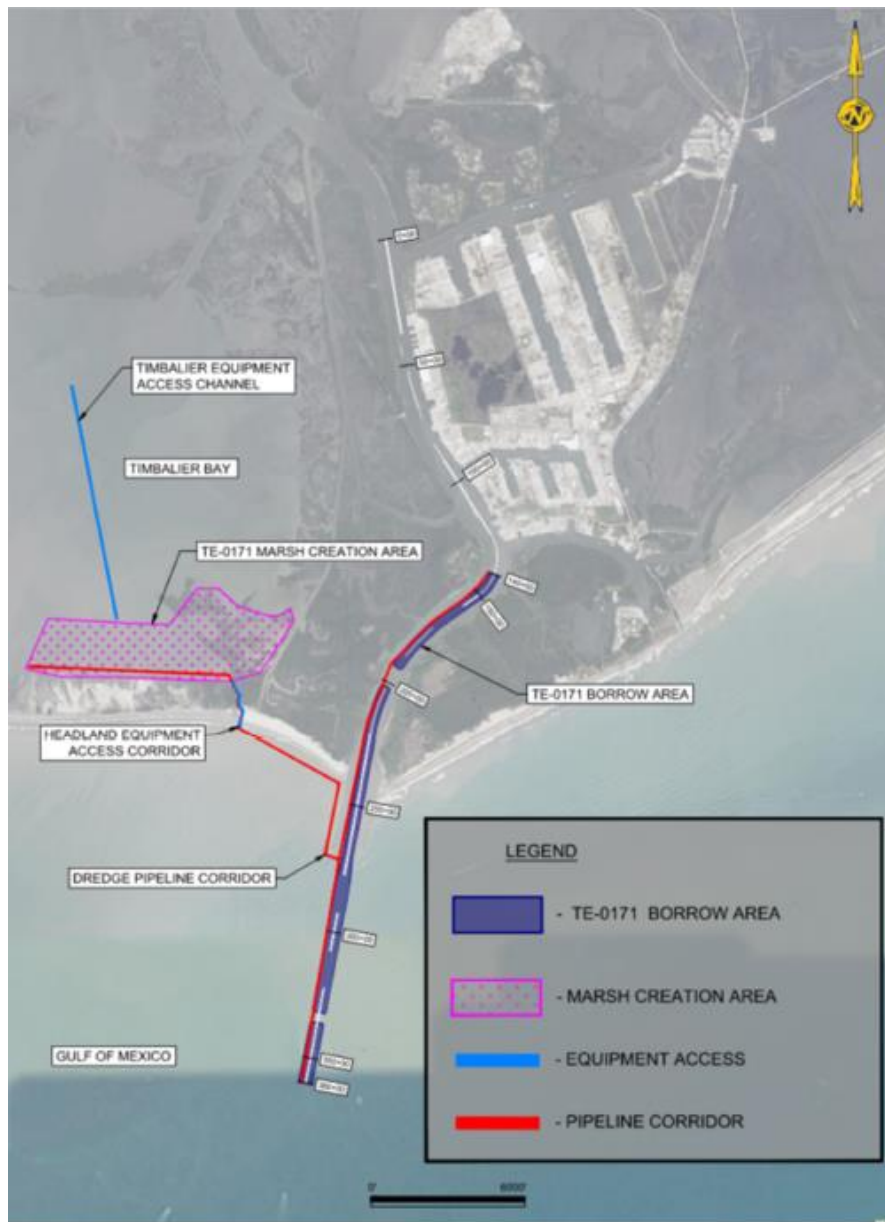


Figure 1. TE-0171 Action Area (GISE, 2024)

Potentially Affected NMFS ESA-Listed Species and Critical Habitat

We have assessed the listed species that may be present in the action area and our determination of the project's potential effects to them as shown in Table 1 below.

Please note abbreviations used in Table 1: NLAA = may affect, not likely to adversely affect; NE = no effect.

Table 1. ESA-listed Species in the Action Area and Effect Determination(s)

Species	ESA Listing Status	Listing Rule/Date	Most Recent Recovery Plan/Outline Date	Effect Determination (Species)
Sea Turtles				
Green (North Atlantic [NA] distinct population segment [DPS])	T	81 FR 20057/ April 6, 2016	October 1991	<u>NLAA</u>
Kemp's ridley	E	35 FR 18319/ December 2, 1970	September 2011	<u>NLAA</u>
Leatherback	E	35 FR 8491/ June 2, 1970	April 1992	<u>NLAA</u>
Loggerhead (Northwest Atlantic [NWA] DPS)	T	76 FR 58868/ September 22, 2011	December 2008	<u>NLAA</u>
Hawksbill	E	35 FR 8491/ June 2, 1970	December 1993	<u>NLAA</u>
Fish				
Giant manta ray	T	83 FR 2916/ January 22, 2018	2019	<u>NLAA</u>

The project is not located in critical habitat, and there are no potential routes of effect to any critical habitat.

Effects of the Action

Giant manta rays and five species of sea turtles are found in Louisiana and are known to occur or believed to occur in the within the vicinity of the action area. The EPA has made a determination of NLAA for all sea turtle species and the giant manta ray. Sea turtle nesting is not known to occur in the project area and ESA section 7 consultation with US FWS was completed on December 19, 2024. Effects to sea turtles and giant manta rays include the risk of direct physical impact from dredging and other in-water construction activities. All dredge work would be conducted using a mechanical clamshell dredge and hydraulic cutterhead dredge (non-hopper type dredge), which are not known to cause take of listed species. Though rare, it is possible that sea turtles may be affected if struck by a dredge; however, this is discountable as cutterhead and mechanical dredges move slowly and sea turtles are highly mobile such that they are able to avoid an approaching dredge. Sea turtles are able to move away from disturbances and avoid construction equipment, including vessels. Effects to giant manta rays also include the risk of direct physical impact from dredging and other in-water construction activities. We believe the risk of physical injury is discountable due to the species' ability to move away from the project site and into adjacent suitable habitat, if disturbed. Additionally, the implementation of NOAA's *Protected Species Construction Conditions* (NOAA 2021) and NMFS's *Vessel Strike Avoidance Measures* (NMFS, 2021) will require all construction workers to observe in-water

related activities for the presence of listed species. If a listed species is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 150 ft of sea turtles and giant manta rays. Operation of any mechanical construction equipment shall cease immediately if a listed species is seen within a 150 ft radius of the equipment. Activities may not resume until the species has departed the project area of its own volition. Except for hydraulic dredging operations, construction would be limited to daylight hours, which will assist construction workers in seeing listed species and, if present, avoiding interactions with them.

Giant manta rays and sea turtles may be affected by being temporarily unable to use the site forage or refuge habitat due to exclusion from the area within turbidity curtains, and avoidance of construction activities and related noise. We believe the temporary exclusion from the project area would have an insignificant effect on sea turtles and giant manta rays, given the project's limited footprint, the availability of similar habitat nearby, and the project would be temporary and intermittent. While the conversion of habitat from open water to marsh would result in the loss of area for listed species to swim, the marsh would also eventually result in the increase of prey items available for listed species to forage. There is sufficient adjacent suitable habitat nearby for listed species to use, so the effect of habitat conversion is insignificant, and the addition of marsh habitat is beneficial.

Sea turtles and giant manta rays may be entangled by in-water lines and other in-water equipment. However, we believe this is extremely unlikely to occur because the implementation of NMFS's *Protected Species Construction Conditions* (NOAA, 2021) requires that turbidity curtains, if used, shall be made of material in which protected species cannot become entangled and be regularly monitored to avoid protected species entrapment. All turbidity curtains, in-water lines, and other in-water equipment shall be properly secured with materials that reduce the risk of protected species entanglement and entrapment. Project materials must be designed to reduce the risk of entanglement of marine species. In-water lines (rope, chain, and cable) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water. In-water lines and other in-water equipment must be placed in a manner that does not entrap species within the project area or block access for them to navigate around the project area. The NOAA Southeast Region Section 7 Mapper results found that habitats in the action area are used by sea turtles and giant manta rays for migration, foraging and mating. Kemp's ridley sea turtles prefer sheltered, coastal waters such as bays, bayous, and estuaries, and seagrass beds (LDWF, 2004). The seagrass habitat they utilize does not occur in the project area. Green sea turtles prefer shallow water bays, estuaries, and shoals containing an abundance of submerged aquatic vegetation (SAV; LDWF, 2004). The SAV habitat type is not present in the project area. Loggerhead sea turtles regularly enter marshes, estuaries, and coastal rivers, though their range in Louisiana is in eastern parishes so they are expected to be infrequent in the action area (LDWF, 2004; NMFS & FWS, 2008). Hawksbill sea turtles are infrequently encountered in Louisiana and the coastal Gulf of Mexico, and prefer coral reef, seagrass beds, shallow ocean and estuaries (LDWF, 2004). Leatherback sea turtles are also rare in Louisiana, and primarily occur in the deep waters of the Gulf of Mexico and Timbalier Bay, as their primary food source is jellyfish (LDWF, 2004).

Nesting of sea turtles has recently been documented in Louisiana on the Chandeleur Islands, however, nesting is not known to occur in any other areas of the State (LDWF, 2024). Sea turtles have been known to get stranded on beaches of Louisiana and construction contractors would report any sightings of stranded turtles to LDWF.

Giant manta rays are commonly found offshore, in oceanic waters, and near productive coastlines (NOAA, 2018b). This species has also been observed in estuarine waters near oceanic inlets, with use of these waters as potential nursery grounds. Although the giant manta ray tends to be solitary, they aggregate at cleaning sites and to feed and mate. Manta rays primarily feed on planktonic organisms such as euphausiids, copepods, mysids, decapod larvae and shrimp, but some studies have noted their consumption of small and moderately sized fishes as well. During feeding, giant manta rays aggregate in shallow waters at depths less than 10 meters. However, this species is capable of diving to depths exceeding 1,000 meters (NOAA, 2018b).

Maintenance dredging in the BA is expected to continue with or without the TE-0171 project. As construction will comply with NOAA's Protected Species Construction Conditions, any possibility of adverse effects to protected species would be minimized and avoided. Contract personnel associated with the proposed project would be informed of the potential presence of protected species, and the need to observe water-related activities in order to avoid contact.

The beneficial impacts of TE-0171 are expected to outweigh the minimal adverse impacts associated with the proposed action. The long-term moderate benefit to threatened and endangered species due to the increased marsh habitat would outweigh short-term minor impacts to species in the MCA and BA during construction. Additionally, the location of the marsh creation planned in TE-0171 works synergistically with other recent CWPPRA marsh creation and restoration projects that are adjacent or proximal, providing a greater additive beneficial effect to species due to increased acreage of coastal marsh habitat. The project also would beneficially use sediment dredged from Belle Pass that would otherwise be dumped at shoreline disposal sites.

Conclusion

The EPA has reviewed the proposed project for its effects to ESA-listed species and their critical habitat. Based on the analysis above, we have determined that the Port Fourchon Marsh Creation Project is not likely to adversely affect any listed species under NMFS's jurisdiction. We have used the best scientific and commercial data available to complete this analysis. We request your concurrence with this determination.

Sincerely,

David Reazin /s/

David Reazin
Acting Supervisor, Marine Coastal and Nonpoint Source Section

Attachments:

1. NOAA ESA Consultation Mapper Results – Marsh Creation Area
2. NOAA ESA Consultation Mapper Results – Borrow Area
3. TE-0171 95% Design Report

ecc: Dustin White, CPRA

Literature Cited

Couvillion, B.R., Barras, J.A., Steyer, G.D., Sleavin, W., Fischer, M., Beck, H., Trahan, N., Griffin, B., and Heckman, D. 2011. Land area change in coastal Louisiana from 1932 to 2010: U.S. Geological Survey Scientific Investigations Map 3164, scale 1:265,000, 12 p. pamphlet. <https://pubs.usgs.gov/sim/3164/>

Couvillion, B.R., Beck, Holly, Schoolmaster, Donald, and Fischer, Michelle. 2017. Land area change in coastal Louisiana 1932 to 2016: U.S. Geological Survey Scientific Investigations Map 3381, 16 p. pamphlet. <https://doi.org/10.3133/sim3381>

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Shalyn Bauschlicher
Physical Scientist, Nonpoint Source Program
Region 6 Water Division
United States Environmental Protection Agency
1201 Elm Street
Dallas, Texas 75270

Ref.: TE-0171, Coastal Wetlands Planning, Protection, and Restoration Act (CWPPRA) Project,
Port Fourchon Marsh Creation (TE-0171), Port Fourchon, Lafourche Parish, Louisiana –
EXPEDITED TRACK

Dear Shalyn Bauschlicher,

This letter responds to your March 24, 2025, request (dated March 20, 2025) pursuant to Section 7 of the Endangered Species Act (ESA) for consultation with the National Marine Fisheries Service (NMFS) on the subject action.

We reviewed the action agency's consultation request document and related materials. Based on our knowledge, expertise, and the action agency's materials, we concur with the action agency's conclusions that the proposed action is not likely to adversely affect the NMFS ESA-listed species and/or designated critical habitat.

We would like to offer the following clarifications to complement your incoming request for Consultation. Please include this information as applicable in future consultation requests. We sent a request for additional information on February 6, 2025, and received a response on March 24, 2025, that contained sufficient information to initiate consultation. However, a few of the questions were answered in a comment thread, rather than as text edits to the request letter. Thus, the requested information was not present in the final signed request letter .pdf. The answers to those questions are included here; in future consultations please include all project information in the text of your consultation request letter:

- The USACE permit numbers for dredging and marsh restoration activities are C.U.P. No. P20240931 and C.O.E. No. MVN-2023-01013-CR. Permit applications have already been submitted with permit processing underway. The contact information for the USACE project managers has been provided so that they will also receive this letter of concurrence for SERO-2024-03075 pertinent to the permit applications for this proposed action and consultation request.
- Marsh nourishment maintenance event quantities will be dynamic and dependent upon post-construction field conditions at the time of the event 3 years after construction. All material would be expected to be distributed in low lying areas. The duration of the O&M event is



estimated to take 30 days and is not factored into the previously stated 18-month construction timeframe.

- Sea turtle nesting is not known to occur in the project area and ESA section 7 consultation with US FWS was completed on December 19, 2024.

Updates to the regulations governing interagency consultation (50 CFR part 402) were effective on May 6, 2024 (89 Fed. Reg. 24268). We are applying the updated regulations to this consultation. The 2024 regulatory changes, like those from 2019, were intended to improve and clarify the consultation process, and, with one exception from 2024 (offsetting reasonable and prudent measures), were not intended to result in changes to the Services' existing practice in implementing section 7(a)(2) of the Act. 84 Fed. Reg. at 45015; 89 Fed. Reg. at 24268. We have considered the prior rules and affirm that the substantive analysis and conclusions articulated in this letter of concurrence would not have been any different under the 2019 regulations or pre-2019 regulations.

This concludes your consultation responsibilities under the ESA for species and/or designated critical habitat under NMFS's purview. Reinitiation of consultation is required and shall be requested by the action agency where discretionary Federal action agency involvement or control over the action has been retained or is authorized by law and: (a) take occurs; (b) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in this consultation; (c) the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not previously considered in this consultation; or (d) if a new species is listed or critical habitat designated that may be affected by the action.

We look forward to further cooperation with you on other projects to ensure the conservation of our threatened and endangered marine species and designated critical habitat. If you have any questions on this consultation, please contact Shelby Casali, Consultation Biologist, by email at Shelby.Casali@noaa.gov.

Sincerely,

REECE.KARLA.MICHELLE
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Digitally signed by
REECE.KARLA.MICHELLE.1365
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Date: 2025.04.09 09:38:17 -04'00'

for

David Bernhart
Assistant Regional Administrator
for Protected Resources

File: 1514-22-k