

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



## REGION 6

DALLAS, TX 75270

August 19, 2024

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

Dear Ms. Firmin:

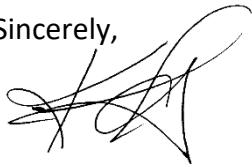
The United States Environmental Protection Agency Region 6 requests the U.S. Fish and Wildlife Service's concurrence on our determination that the Port Fourchon Marsh Creation Project (TE-0171) "may affect, but is not likely to adversely affect" the following species or their designated critical habitat:

- West Indian Manatee (*Trichechus manatus*)
- Eastern Black Rail (*Laterallus jamaicensis* ssp. *jamaicensis*)
- Piping Plover (*Charadrius melanotos*)
- 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](mailto:Bauschlicher.Shalyn@epa.gov).

Sincerely,

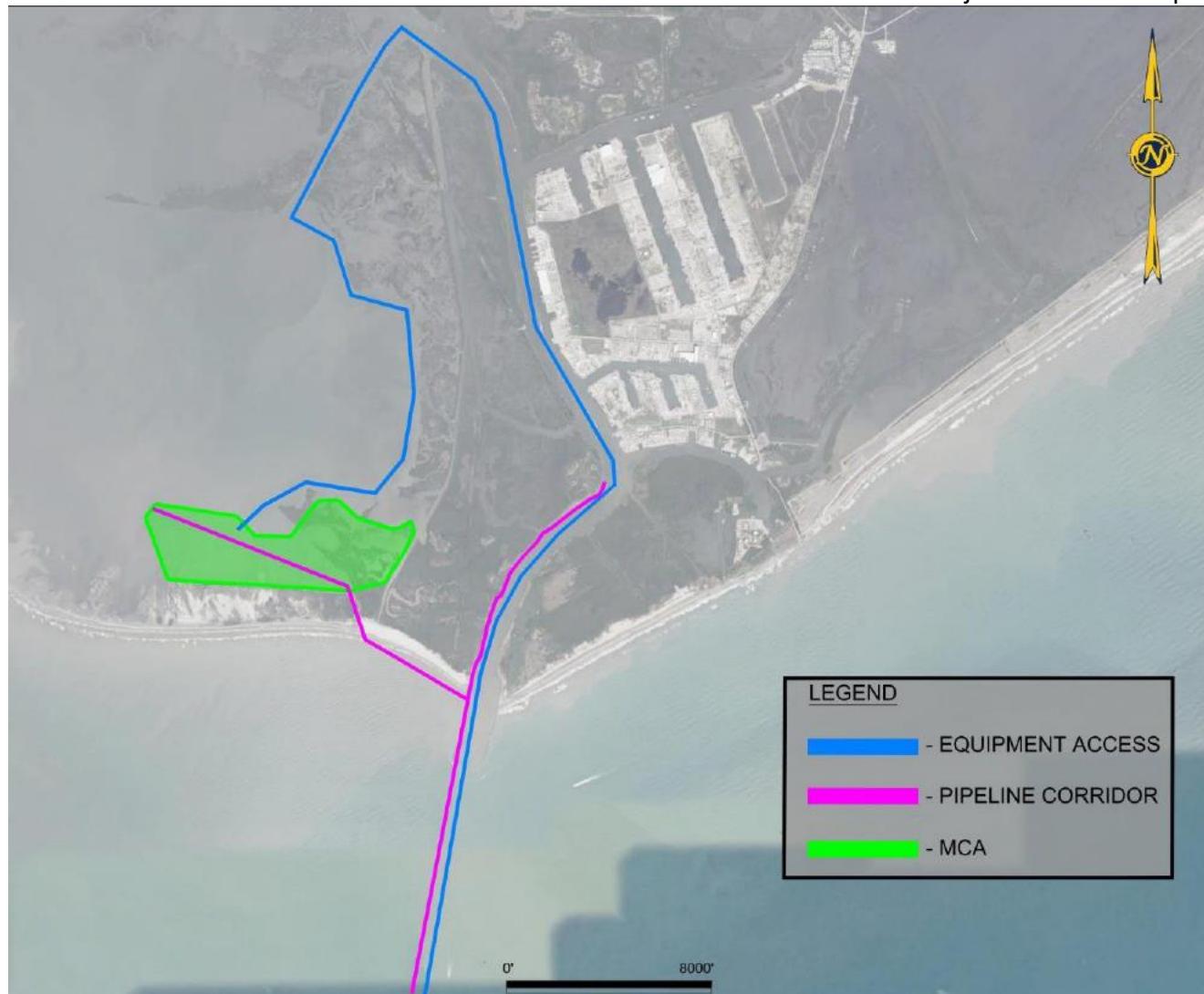
A handwritten signature in black ink, appearing to read "Karen McCormick".

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

Attachments:

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

cc: 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</i> ssp. <i>jamaicensis</i> )	Threatened	NLAA
Hawksbill Sea Turtle ( <i>Eretmochelys imbricata</i> )	Endangered	May affect
Kemp's Ridley Sea Turtle ( <i>Lepidochelys kempii</i> )	Endangered	May affect
Leatherback Sea Turtle ( <i>Dermochelys coriacea</i> )	Endangered	May affect
Loggerhead Sea Turtle ( <i>Caretta caretta</i> )	Threatened	May affect
Piping Plover ( <i>Charadrius melanotos</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](mailto: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](mailto:ulgonda_kirkpatrick@fws.gov)) with any questions regarding potential impacts to bald or golden eagles.

## Action Description

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

### 1. Name

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 melanotos</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](mailto: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](mailto:ulgonda_kirkpatrick@fws.gov)) with any questions regarding potential impacts to bald or golden eagles.

## Action Description

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

### 1. Name

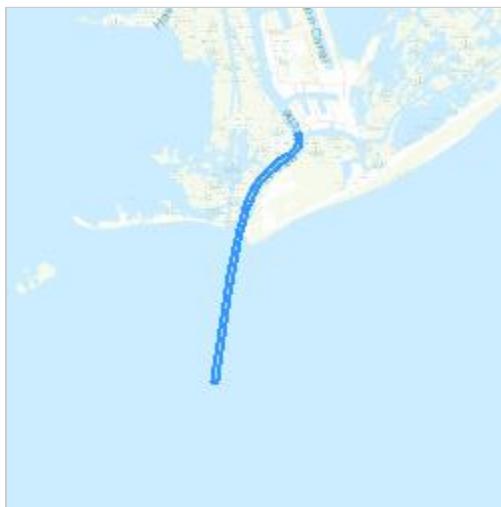
Port Fourchon Marsh Creation - Belle Pass Borrow Area

### 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/@29.08259714999998,-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/nationalbaldeaglenmanagementguidelines.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](mailto: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 Fisheries<sup>1</sup>, 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.

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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: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered
West Indian Manatee <i>Trichechus manatus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <b>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</b> Species profile: <a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a>	Threatened

## BIRDS

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

## REPTILES

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

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	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 melanotos</i> <a href="https://ecos.fws.gov/ecp/species/6039#crithab">https://ecos.fws.gov/ecp/species/6039#crithab</a>	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 Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, 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 Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> 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. <a href="https://ecos.fws.gov/ecp/species/8935">https://ecos.fws.gov/ecp/species/8935</a>	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. <a href="https://ecos.fws.gov/ecp/species/5234">https://ecos.fws.gov/ecp/species/5234</a>	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. <a href="https://ecos.fws.gov/ecp/species/6034">https://ecos.fws.gov/ecp/species/6034</a>	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. <a href="https://ecos.fws.gov/ecp/species/4464">https://ecos.fws.gov/ecp/species/4464</a>	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. <a href="https://ecos.fws.gov/ecp/species/3478">https://ecos.fws.gov/ecp/species/3478</a>	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 <a href="https://ecos.fws.gov/ecp/species/11953">https://ecos.fws.gov/ecp/species/11953</a>	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. <a href="https://ecos.fws.gov/ecp/species/9501">https://ecos.fws.gov/ecp/species/9501</a>	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. <a href="https://ecos.fws.gov/ecp/species/11919">https://ecos.fws.gov/ecp/species/11919</a>	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. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	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 <a href="https://ecos.fws.gov/ecp/species/5511">https://ecos.fws.gov/ecp/species/5511</a>	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 <a href="https://ecos.fws.gov/ecp/species/9588">https://ecos.fws.gov/ecp/species/9588</a>	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. <a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a>	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. <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a>	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. <a href="https://ecos.fws.gov/ecp/species/9439">https://ecos.fws.gov/ecp/species/9439</a>	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. <a href="https://ecos.fws.gov/ecp/species/8880">https://ecos.fws.gov/ecp/species/8880</a>	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. <a href="https://ecos.fws.gov/ecp/species/10693">https://ecos.fws.gov/ecp/species/10693</a>	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. <a href="https://ecos.fws.gov/ecp/species/7617">https://ecos.fws.gov/ecp/species/7617</a>	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. <a href="https://ecos.fws.gov/ecp/species/10468">https://ecos.fws.gov/ecp/species/10468</a>	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. <a href="https://ecos.fws.gov/ecp/species/10471">https://ecos.fws.gov/ecp/species/10471</a>	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 <a href="https://ecos.fws.gov/ecp/species/10633">https://ecos.fws.gov/ecp/species/10633</a>	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 <a href="https://ecos.fws.gov/ecp/species/9731">https://ecos.fws.gov/ecp/species/9731</a>	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. <a href="https://ecos.fws.gov/ecp/species/9480">https://ecos.fws.gov/ecp/species/9480</a>	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 <a href="https://ecos.fws.gov/ecp/species/11991">https://ecos.fws.gov/ecp/species/11991</a>	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10669">https://ecos.fws.gov/ecp/species/10669</a>	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. <a href="https://ecos.fws.gov/ecp/species/9722">https://ecos.fws.gov/ecp/species/9722</a>	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 (■)

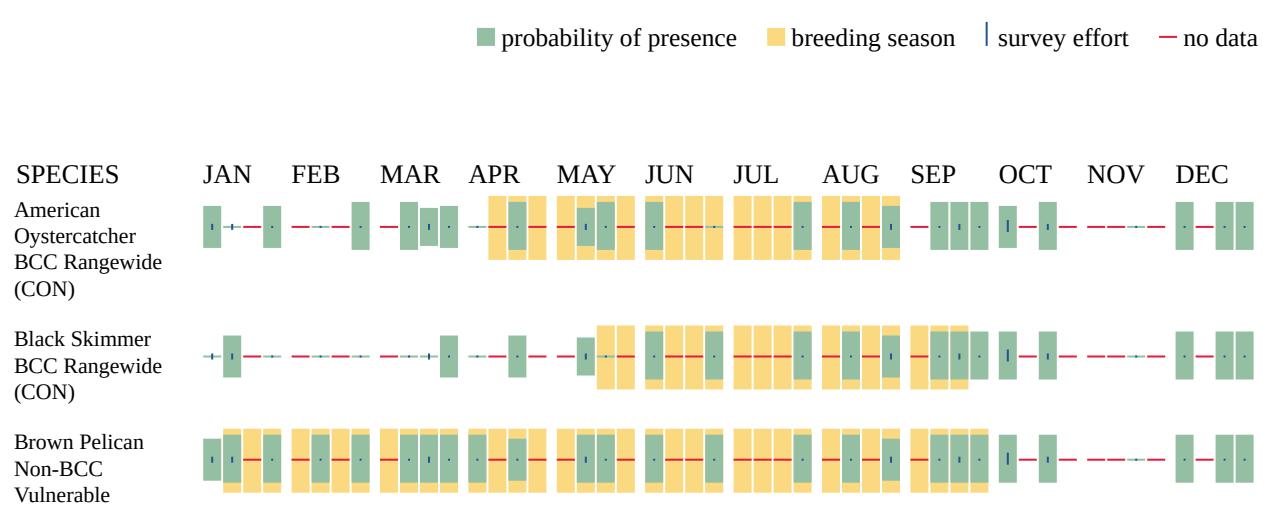
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

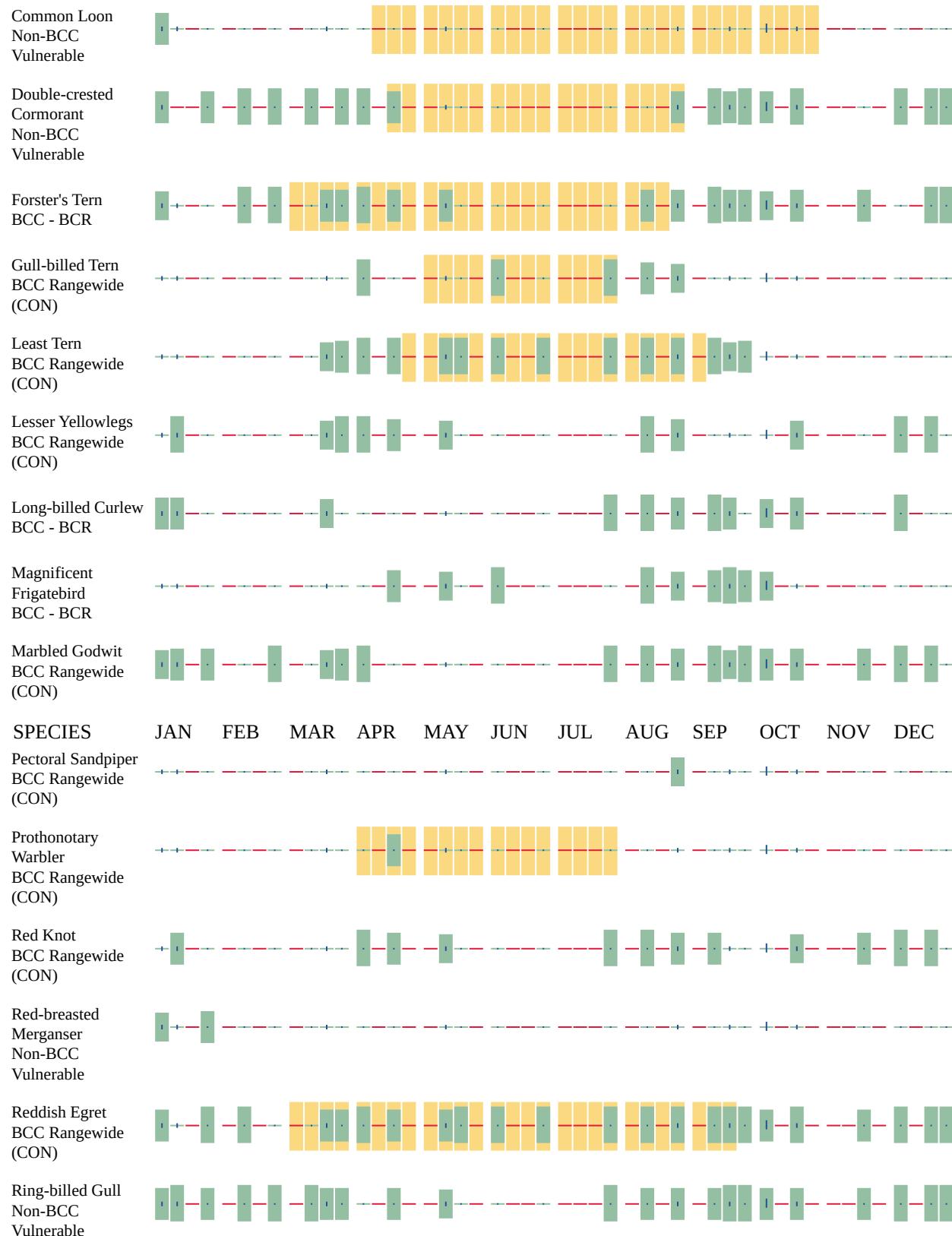
### Survey Effort (|)

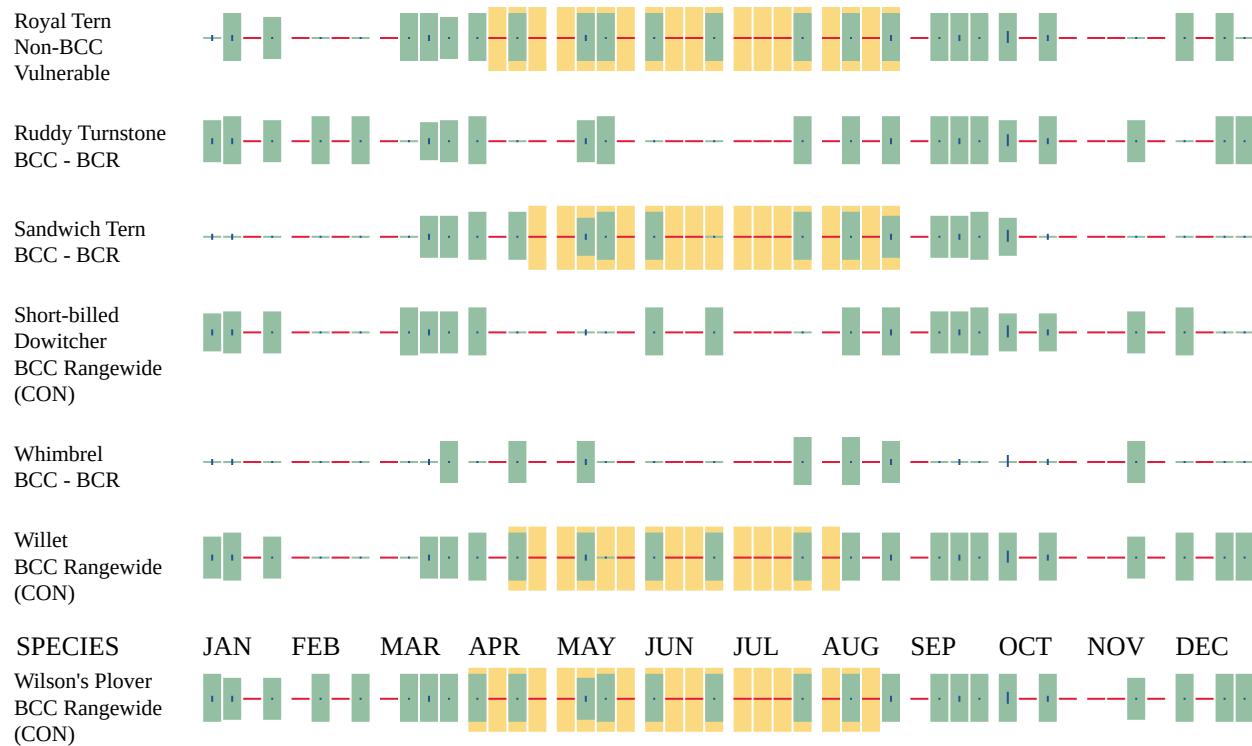
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### 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 Act<sup>1</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>2</sup>.

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 Fisheries<sup>3</sup> [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.

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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  
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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/nationalbaldeaglenmanagementguidelines.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](mailto: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:

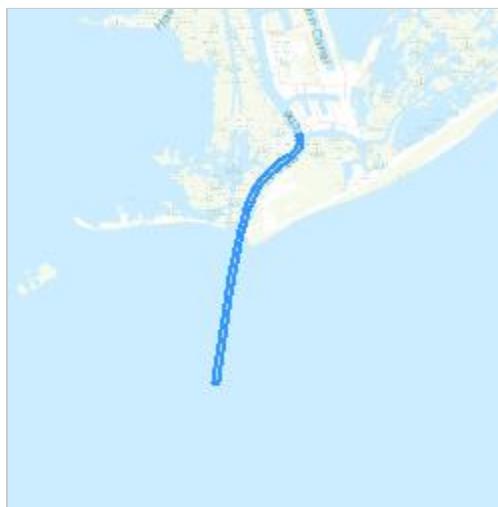
**Louisiana Ecological Services Field Office**  
200 Dulles Drive  
Lafayette, LA 70506  
(337) 291-3100

## 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/@29.08259714999998,-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 Fisheries<sup>1</sup>, 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.

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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: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered
West Indian Manatee <i>Trichechus manatus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <b>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</b> Species profile: <a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a>	Threatened

## BIRDS

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

## REPTILES

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

## INSECTS

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

NAME	STATUS
No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	

## 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 Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, 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"](#).

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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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	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 (■)

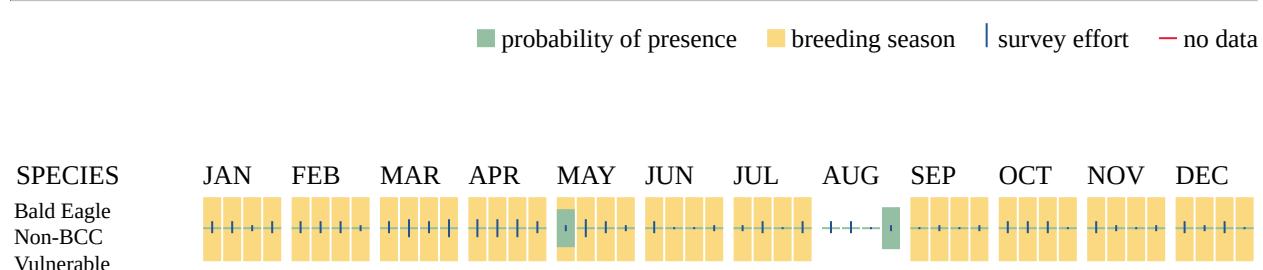
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### 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-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>

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> 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. <a href="https://ecos.fws.gov/ecp/species/10561">https://ecos.fws.gov/ecp/species/10561</a>	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. <a href="https://ecos.fws.gov/ecp/species/8935">https://ecos.fws.gov/ecp/species/8935</a>	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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Sep 1 to Jul 31

NAME	BREEDING SEASON
<b>Black Scoter <i>Melanitta nigra</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/10413">https://ecos.fws.gov/ecp/species/10413</a>	Breeds elsewhere
<b>Black Skimmer <i>Rynchops niger</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/5234">https://ecos.fws.gov/ecp/species/5234</a>	Breeds May 20 to Sep 15
<b>Brown Pelican <i>Pelecanus occidentalis</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/6034">https://ecos.fws.gov/ecp/species/6034</a>	Breeds Jan 15 to Sep 30
<b>Chimney Swift <i>Chaetura pelagica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
<b>Common Loon <i>gavia immer</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/4464">https://ecos.fws.gov/ecp/species/4464</a>	Breeds Apr 15 to Oct 31
<b>Dickcissel <i>Spiza americana</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9453">https://ecos.fws.gov/ecp/species/9453</a>	Breeds May 5 to Aug 31
<b>Double-crested Cormorant <i>phalacrocorax auritus</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/3478">https://ecos.fws.gov/ecp/species/3478</a>	Breeds Apr 20 to Aug 31
<b>Forster's Tern <i>Sterna forsteri</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/11953">https://ecos.fws.gov/ecp/species/11953</a>	Breeds Mar 1 to Aug 15
<b>Gull-billed Tern <i>Gelochelidon nilotica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9501">https://ecos.fws.gov/ecp/species/9501</a>	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. <a href="https://ecos.fws.gov/ecp/species/8936">https://ecos.fws.gov/ecp/species/8936</a>	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. <a href="https://ecos.fws.gov/ecp/species/11919">https://ecos.fws.gov/ecp/species/11919</a>	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. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	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 <a href="https://ecos.fws.gov/ecp/species/5511">https://ecos.fws.gov/ecp/species/5511</a>	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 <a href="https://ecos.fws.gov/ecp/species/9588">https://ecos.fws.gov/ecp/species/9588</a>	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. <a href="https://ecos.fws.gov/ecp/species/9481">https://ecos.fws.gov/ecp/species/9481</a>	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 <a href="https://ecos.fws.gov/ecp/species/9511">https://ecos.fws.gov/ecp/species/9511</a>	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. <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a>	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 <a href="https://ecos.fws.gov/ecp/species/8833">https://ecos.fws.gov/ecp/species/8833</a>	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. <a href="https://ecos.fws.gov/ecp/species/9439">https://ecos.fws.gov/ecp/species/9439</a>	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. <a href="https://ecos.fws.gov/ecp/species/8880">https://ecos.fws.gov/ecp/species/8880</a>	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. <a href="https://ecos.fws.gov/ecp/species/10693">https://ecos.fws.gov/ecp/species/10693</a>	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. <a href="https://ecos.fws.gov/ecp/species/7617">https://ecos.fws.gov/ecp/species/7617</a>	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. <a href="https://ecos.fws.gov/ecp/species/10468">https://ecos.fws.gov/ecp/species/10468</a>	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. <a href="https://ecos.fws.gov/ecp/species/10471">https://ecos.fws.gov/ecp/species/10471</a>	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 <a href="https://ecos.fws.gov/ecp/species/10633">https://ecos.fws.gov/ecp/species/10633</a>	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 <a href="https://ecos.fws.gov/ecp/species/9731">https://ecos.fws.gov/ecp/species/9731</a>	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. <a href="https://ecos.fws.gov/ecp/species/9480">https://ecos.fws.gov/ecp/species/9480</a>	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. <a href="https://ecos.fws.gov/ecp/species/10463">https://ecos.fws.gov/ecp/species/10463</a>	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 <a href="https://ecos.fws.gov/ecp/species/11991">https://ecos.fws.gov/ecp/species/11991</a>	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. <a href="https://ecos.fws.gov/ecp/species/10462">https://ecos.fws.gov/ecp/species/10462</a>	Breeds elsewhere
Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10669">https://ecos.fws.gov/ecp/species/10669</a>	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. <a href="https://ecos.fws.gov/ecp/species/9722">https://ecos.fws.gov/ecp/species/9722</a>	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 (|)

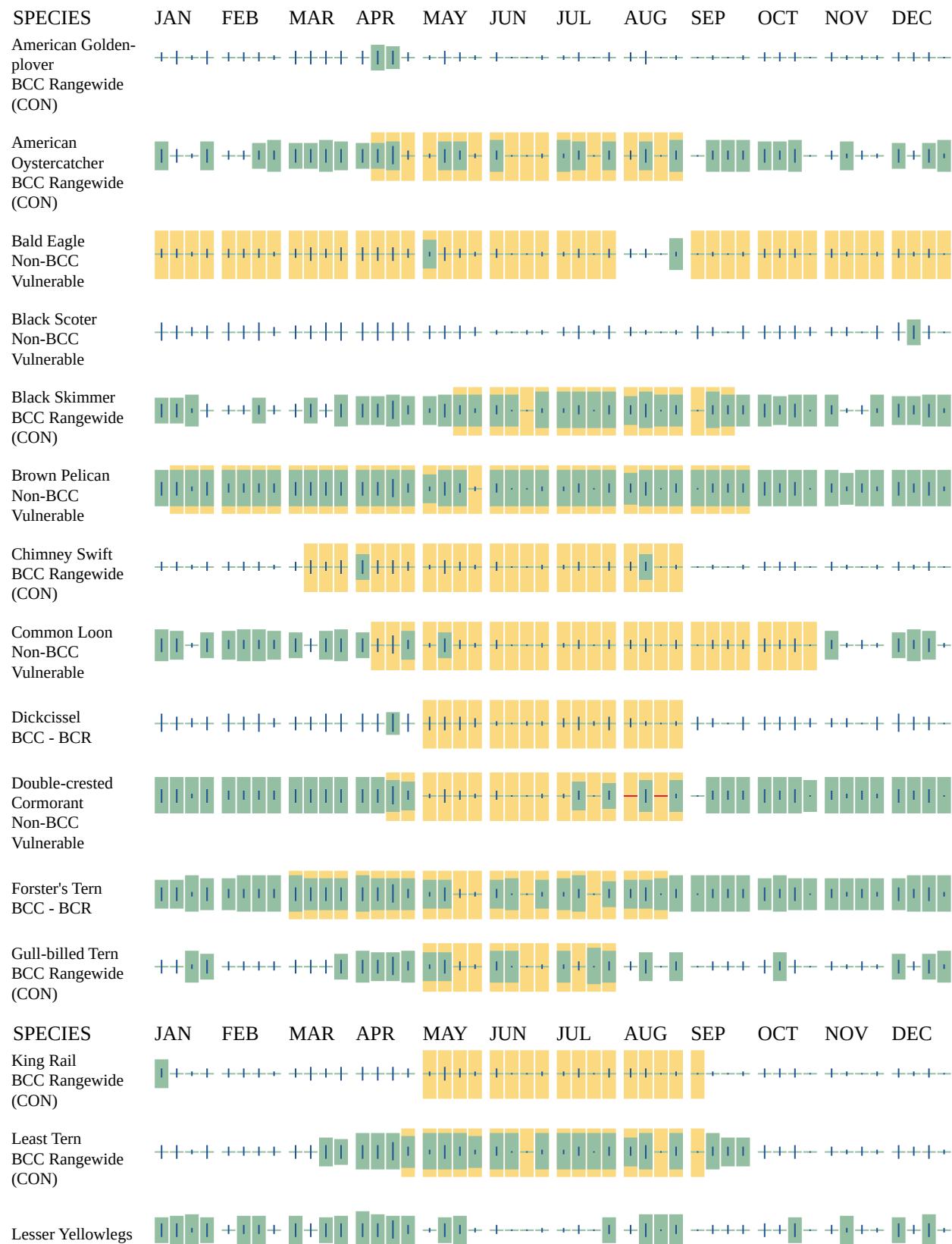
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### No Data (-)

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

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



BCC Rangewide  
(CON)

Long-billed Curlew BCC - BCR

Magnificent Frigatebird BCC - BCR

Marbled Godwit BCC Rangewide (CON)

Painted Bunting BCC - BCR

Pectoral Sandpiper BCC Rangewide (CON)

Prairie Loggerhead Shrike BCC - BCR

Prothonotary Warbler BCC Rangewide (CON)

Red Knot BCC Rangewide (CON)

Red-breasted Merganser Non-BCC Vulnerable

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Reddish Egret BCC Rangewide (CON)

Ring-billed Gull Non-BCC Vulnerable

Royal Tern Non-BCC Vulnerable

Ruddy Turnstone BCC - BCR

Sandwich Tern BCC - BCR

Short-billed Dowitcher

BCC Rangewide  
(CON)

Surf Scoter  
Non-BCC  
Vulnerable



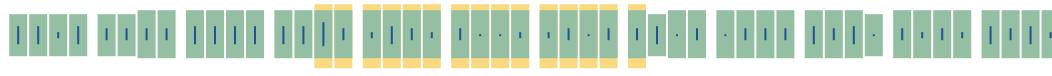
Whimbrel  
BCC - BCR



White-winged  
Scoter  
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 Act<sup>1</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>2</sup>.

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 Fisheries<sup>3</sup> [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.

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NAME

West Indian Manatee *Trichechus manatus*

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

## IPAC USER CONTACT INFORMATION

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