

APPENDIX II

ENDANGERED SPECIES CONSULTATION



United States Department of the Interior

FISH AND WILDLIFE SERVICE

P.O. BOX 2676

VERO BEACH, FLORIDA 32961-2676

November 15, 1996

A.J. Salem, Chief
Planning Division
U.S. Army Corps of Engineers
P.O. Box 4970
Jacksonville, FL 32232-0019

FWS Log No.: 4-1-96-1-516
Dated: July 23, 1996
Applicant: U.S. Army Corps of Engineers
County: Martin

Dear Mr. Salem:

Thank you for your letter with enclosures dated September 13, 1996, regarding the U.S. Army Corps of Engineers' (COE) proposal to maintenance dredge material from an area near the St. Lucie Inlet and to deposit this material onto a beach within the Hobe Sound National Wildlife Refuge (NWR). The letter and enclosures were in response to our letter, dated August 22, 1996, in which we requested the following information:

1. A description of the action to be considered, i.e., the proposed timing of when the dredging is to occur and when the deposition of dredged material is to occur;
2. A description of the specific area to be affected, i.e., the exact dimensions of maintenance dredging within each of the navigation channels and the exact location of beach segment onto which the dredged material will be deposited;
3. A description of how the proposed project may affect the manatee and its designated critical habitat as well as sea turtles and their nests; and
4. Any relevant reports on the proposed maintenance dredging in the Crossroads and the deposition of dredged material onto the beach near Peck's Lake.

The materials you submitted fulfill our request for information. Specifically, your letter states that the COE proposes to perform the work during the winter months to avoid the sea turtle nesting season. Therefore, the FWS concludes that the proposed action is not likely to adversely affect sea turtles and their nests. There is no designated critical habitat in Florida for sea turtles.

Your letter also informs us of the previous consultation concerning the potential effects of the proposed action on the West Indian manatee (*Trichechus manatus latirostris*). In our letter dated December 2, 1994, we concurred with your determination of "no effect" for this species. Furthermore, the dredging efforts are confined to the Okeechobee and Atlantic Intracoastal Waterways; therefore, the FWS concludes that the proposed action is not likely to destroy or adversely modify designated critical habitat for the manatee.

Although this does not constitute a Biological Opinion described under section 7 of the Endangered Species Act of 1973, as amended (ESA), it does fulfill the requirements of the ESA, and no further action is required. If modifications are made to the project or if additional information involving potential adverse effects on listed species becomes available, reinitiation of consultation may be necessary.

Since the deposition site for the dredged material is within the boundaries of the Hobe Sound NWR, the COE will need a Special Use Permit from the Refuge in order to perform any work within the Refuge. You may contact Refuge Manager Burkett Neely at (561) 732-3684 on permit requirements pertaining to Hobe Sound NWR.

Thank you for your cooperation in the effort to protect threatened and endangered species. If you have any questions regarding our comments, please contact Kalani Cairns of this office at (561) 562-3909.

Sincerely,



V,or Craig Johnson
Supervisor, South Florida Ecosystem Office

cc:

Hobe Sound National Wildlife Refuge (Attn: Burkett Neely)
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