



State of Louisiana

KATHLEEN BABINEAUX BLANCO
GOVERNOR

DEPARTMENT OF WILDLIFE AND FISHERIES

DWIGHT LANDRENEAU
SECRETARY

July 10, 2006

Mr. Don Silawsky
Office of Petroleum Reserves, FE-47
U.S. Department of Energy
Washington, DC 20585-0301

RE: Draft Environmental Impact Statement for Site Selection for the Expansion of the Strategic Petroleum Reserve (Document No. DOE/EIS-0385)

Dear Mr. Silawsky:

The professional staff of the Louisiana Department of Wildlife and Fisheries (LDWF), Office of Wildlife, has reviewed the Department of Energy's Draft Environmental Impact Statement (DEIS) for site selection for the expansion of the Strategic Petroleum Reserve (SPR). The Department of Energy is evaluating eight alternative storage sites that would expand the SPR to its full authorized 1 billion-barrel capacity. The Department of Energy would develop a combination of one or two proposed new SPR sites with the expansion of two or three existing SPR sites. Based upon this preliminary review, LDWF submits the following comments:

Of the five sites proposed for the construction of a new SPR site, two are located in Lafourche Parish, Louisiana (i.e., Clovelly and Chacahoula). Also, two of the three sites proposed for expansion of existing SPR sites are located in Louisiana (i.e., Bayou Choctaw in Iberville Parish and West Hackberry in Cameron and Calcasieu Parishes).

According to the DEIS, for all filling and permanent conversion of wetlands the Department of Energy would complete a wetland delineation, secure a jurisdictional determination, and secure Clean Water Act Section 404/401 permits from the U.S. Army Corps of Engineers (USACE). LDWF requests that a USACE jurisdictional wetland determination be conducted at each alternative SPR site in order to verify/quantify the wetland impacts associated with each site.

LDWF is concerned about the direct impact of the proposed SPR expansion on wetlands and inshore and offshore fishery resources of Louisiana. If need can be established, actions must be taken to avoid and/or minimize adverse impacts to fish and wildlife resources. Those actions and other measures designed to fully compensate for unavoidable wetland impacts must be addressed in a mitigation plan and approved by USACE, LDWF, and other interested natural resource agencies.

Page 2
Mr. Silawsky
July 10, 2006

To minimize impacts to wetlands, LDWF recommends that horizontal directional drilling be used at all perennial stream crossings (to include adjacent riparian wetlands) and at coastline interfaces. Also, construction right-of-ways through wetlands need to be minimized as much as practicable.

In addition to the issues listed above, please find attached a copy of a correspondence, dated March 8, 2006, from the LDWF Louisiana Natural Heritage Program and addressed to Ms. Karen M. Fadely of ICF Consulting. The letter details potential rare, threatened, and endangered species and critical habitats which are anticipated to be impacted by the proposed SPR expansion. These attached comments are to be included with those identified above.

The Louisiana Department of Wildlife and Fisheries seeks to work with you in a facilitative manner on this and future endeavors. Please do not hesitate to contact Kyle Balkum of our Habitat Section should you need further assistance.

Sincerely,

Brandt Savoie

kfb

Attachment



State of Louisiana

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KATHLEEN BABINEAUX BLANCO
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Date March 8, 2006

Name

Company

Street Address

City, State, Zip

Project Dept. of Energy: Proposed Oil Reserve Expansion and Pipeline Installation

Invoice Number 06030801

Personnel of the Habitat Section of the Fur and Refuge Division have reviewed the preliminary data for the captioned project.

Our records indicate the proposed project may potentially impact 9 bald eagle (*Haliaeetus leucocephalus*) nesting sites. This species is listed as threatened under the Endangered Species Act. No major activities should occur during the nesting period (October 1- May 15) within one mile of the nest tree. To protect the core nesting area, there should be no activity within a 1,500-foot radius of the nest tree at any time. All bald eagle nests (active, inactive or seemingly abandoned) should be protected. Within the core nesting area, no large tree should be removed. For specific location information applicant should contact the LNHP zoologist at 2820 and reference EOR #'s 362, 364, 135, 363, 304, 287, 399, 305, and 435. For consideration of [redacted] it must contact Brigitte Firmin with USFWS to coordinate activities at [redacted]

The proposed project may impact two ground-nesting birds of concern in Louisiana. The Louisiana Waterthrush (*Seiurus motacilla*) and Worm-eating Warbler (*Helmitheros vermivorus*) are known to nest in East and West Feliciana Parishes of Louisiana. Breeding habitat for these birds include wet forested areas along streams and creeks flowing through hilly terrain. We recommend a qualified biologist conduct a survey along the proposed right way if activity takes place during the breeding season. Results of the survey should be sent to the above address care of LNHP. The breeding season for these two species is generally mid-April through July.

The proposed project may potentially impact the long-tailed weasel (*Mustela frenata*). This species is found in a wide variety of habitats, usually near water. Favored habitats include brushland and open woodlands, field edges, riparian grasslands, swamps, and marshes. Dens are in abandoned burrows of other mammals, rock crevice, brushpiles, stump hollows, or spaces among tree roots; one individual may use multiple dens. Research indicates that long-tailed weasels may be sensitive to agriculturally induced fragmentation of habitat and the importance of maintaining landscape connectivity for species conservation.

The proposed project may impact Southern Shield Wood-fern (*Dryopteris ludoviciana*) and Rooted Spike-rush (*Eleocharis radicans*). Both of these plants are considered extremely imperiled in Louisiana due to extreme rarity. A forested seep with large populations of these plants is located in the direct path of the proposed pipeline right of way extending north from Baton Rouge. The area is located at the following lat/lon. Location: (N30 50 17 / W091 13 32). Please contact LNHP botan: [redacted] to discuss measures to avoid impacts to these rare plants.

Our database indicates the presence of many waterbird nesting colonies within the proposed project area or within one mile of the proposed project. Please keep in mind that rookeries can move from year to year and no current information is

available on the status of these rookeries. We recommend that a qualified biologist inspect the proposed worksite for the presence of nesting colonies during the nesting season. We recommend that on-site contract personnel be informed of the need to identify colonial nesting birds and their nests and should avoid disturbing them during the breeding season. No activity is permitted within 400 meters (700 meters for Brown Pelicans) around rookeries during the breeding season, which is generally March 15-July 15. Contact the US Fish and Wildlife Service at (337) 291-3100 to discuss impacts on rookeries. To minimize disturbance to colonial nesting birds, the following restrictions on activity should be observed:

- For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, roseate spoonbills, anhingas, and/or cormorants), all activity occurring within 300 meters of a rookery should be restricted to the non-nesting period (i.e., September 1 through February 15, depending on species present).
- For colonies containing nesting gulls, terns, and/or black skimmers, all activity occurring within 400 meters of a rookery should be restricted to the non-nesting period (i.e., September 16 through April 1, depending on species present).

The Louisiana Natural Heritage Program has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. The Louisiana Natural Heritage Program requires that this office be acknowledged in all reports as the source of all data provided here. If you have any questions or need additional information, please call Louisiana Natural Heritage Program at

Sincerely,

Jary Lester, Coordinator
Natural Heritage Program