



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
South Florida Ecological Services Office  
1339 20<sup>th</sup> Street  
Vero Beach, Florida 32960



April 27, 2006

Colonel Robert M. Carpenter  
District Engineer  
U.S. Army Corps of Engineers  
701 San Marco Boulevard, Room 372  
Jacksonville, Florida 32207-8175

Service Log No.: 4-1-01-F-765  
Corps Application No.: 20003733 (IP-MN)  
Date Received: February 18, 2006  
Project: J Berm, T-Head Groin, and  
Segmented Breakwater Construction  
Applicant: Lee County Board of  
County Commissioners  
County: Lee

Dear Colonel Carpenter:

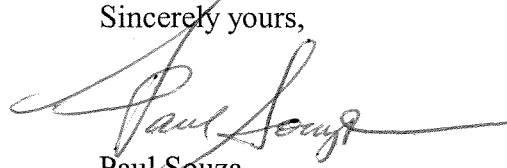
The Fish and Wildlife Service (Service) has reviewed the February 18, 2006, request from the U.S. Army Corps of Engineers (Corps) to amend the Service's July 24, 2002, Biological Opinion (Service Log Number 4-1-01-F-765) concerning the project referenced above. This letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 *et seq.*).

The project involves the construction of segmented breakwater structures, two T-head groins, and a 20 foot-wide berm along 3.5 miles of shoreline. We understand the applicant is requesting an amendment to eliminate the pre-construction turtle hatchling monitoring. The intent of the pre-monitoring is to "(1) identify the behavior of sea turtle hatchlings upon encountering (shore parallel) structures, and (2) document incidents, if any, of predation from nearshore fish population." Since this project has been delayed for several years and the consultant, Mote Marine Laboratory, was unable to complete the pre-monitoring due to scheduling conflicts, the agencies collectively agreed that post construction monitoring is sufficient to adequately address the intent behind the pre-construction monitoring. Post construction monitoring would be conducted as outlined in the original biological opinion. The Service believes that this will not change the project or the amount of take and therefore, agrees to amend the biological opinion as requested.



This concludes consultation under section 7 of the Act with the Service for this project. Thank you for your cooperation and effort in protecting threatened and endangered sea turtles. Should you have additional questions or require clarification, please contact Jeff Howe at 772-562-3909, extension 283.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Paul Souza", with a long horizontal flourish extending to the right.

Paul Souza

Acting Field Supervisor  
South Florida Ecological Services Office

cc:

Corps, Jacksonville, Florida (Mike Nowicki)

DEP, Bureau of Beaches and Wetland Resources, Tallahassee, Florida (Lainie Edwards)

FWC, Bureau of Protected Species Management, Tallahassee, Florida (Robin Trindell)

NOAA Fisheries, St. Petersburg, Florida (Mark Sramek)

Service, Jacksonville, Florida (Sandy MacPherson – Species Lead – Sea Turtles)