

## 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, 2007

Colonel Paul L. Grosskruger  
District Commander  
U.S. Army Corps of Engineers  
701 San Marco Boulevard, Room 372  
Jacksonville, Florida 32207-8175

Service Federal Activity Code: 41420-2007-FA-0847  
Formal Consultation Re-Initiation Date: April 25, 2007  
Project: Jupiter Island Beach Nourishment  
Applicant: Town of Jupiter Island  
County: Martin

Dear Colonel Grosskruger:

The Fish and Wildlife Service (Service) has reviewed the April 25, 2007, request from the U.S. Army Corps of Engineers (Corps) to amend the December 2, 2005, amended biological opinion (Service Log Number 4-1-05-TR-13281) concerning the Jupiter Island Beach Nourishment Project (Corps permit: SAJ-1992-1740 [IP-TA]). This letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*).

The project involves placement of approximately 1,500,000 cubic yards of beach compatible material along 5 miles of shoreline between DEP monument R-76 through R-84, and between R-87 and R-111. The Project was scheduled to be completed by May 1, 2007. The Applicant proposes to modify the project by extending operations by 5 additional days (May 1 through May 5, 2007) for demobilization from the beach and to till beach fill areas during daylight hours. The Service's December 2, 2005, amended biological opinion concerning this project provided an incidental take statement for the threatened loggerhead sea turtle (*Caretta caretta*), endangered green sea turtle (*Chelonia mydas*), endangered leatherback sea turtle (*Dermochelys coriacea*), and endangered hawksbill sea turtle (*Eretmochelys imbricata*).

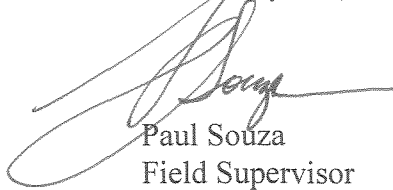
The Service has reviewed sea turtle nesting data for the project area, and considered the cumulative effects of providing the extension. Based on our review, the Service believes that the proposed modification is minor in nature and will not significantly change the effects of the project on nesting sea turtles. Therefore, the Service amends the biological opinion as requested. With the exception of the 5 day extension as referenced above, all parts of the December 2, 2005, amended biological opinion for this project remain as written.



This concludes formal consultation on the action outlined in the request. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions regarding this amended biological opinion, 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  
Field Supervisor  
South Florida Ecological Services Office

cc:

Gahagan & Bryant Associates, Inc., Tampa, Florida (Clay Bryant)  
Corps, Palm Beach Gardens, Florida (Eric Reusch)  
DEP, Tallahassee, Florida (Stephanie Gudeman)  
EPA, West Palm Beach, Florida  
FWC, Bureau of Protected Species Management, Tallahassee, Florida (Robbin Trindell)  
NOAA Fisheries, West Palm Beach, Florida (Jocelyn Karazsia)  
Service, Ecological Services, Jacksonville, Florida (Sandy MacPherson)  
Service, Atlanta, Georgia (Noreen Walsh) electronic copy  
USGS, Florida Integrated Science Center, Gainesville, Florida (Susan Walls)