



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
P.O. BOX 4970  
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO  
ATTENTION OF

Planning Division  
Environmental Branch

15 FEB 2005

Mr. David Bernhart  
Assistant Regional Administrator  
Protected Resources  
National Marine Fisheries Service  
9721 Executive Center Drive North  
St. Petersburg, Florida 33702

Dear Mr. Bernhart:

Pursuant to the National Environmental Policy Act (NEPA), enclosed for your review and comment is a copy of the draft Project Implementation Report (PIR) with integrated Environmental Assessment (EA) for the Site 1 Impoundment Project located in Palm Beach County, Florida. The draft PIR also constitutes our Biological Assessment as required by the Endangered Species Act (ESA) of 1973, as amended. With this letter we are concluding ESA consultation with your agency.

The endangered smalltooth sawfish (*Pristis pectinata*) and candidate opossum pipefish (*Microphis brachyurus lineatus*) are downstream of the project area. The U.S. Army Corps of Engineers has determined that implementation of the recommended plan documented in the draft PIR will have no effect on these listed species.

We request your comments pursuant to NEPA and ESA by April 04, 2005. If you have any questions or need further information, please contact Rebecca Weiss at 904-232-1577, fax at 904-899-5095 or e-mail at Rebecca.J.Weiss@usace.army.mil.

Sincerely,

*Lucia M. Mason, Ph.D.*

James C. Duck *for*  
Chief, Planning Division

Enclosure

**Copies Furnished:**

**Mr. Rickey N. Ruebsamen, National Marine Fisheries Service, 3500 Delwood Beach Road, Panama City, Florida 32408-7499**

**Mr. David H. Rackly, National Marine Fisheries Service, 219 Fort Johnson Road, Charleston, South Carolina 29412-9110**

**Ms. Audra Livergood, National Marine Fisheries Service, 11420 North Kendall Drive, Suite 103, Miami, Florida 33176**