

MEMORANDUM

ORIGINAL

TO : Office of the Secretary
FROM : Danny Laffoon
DATE : September 25, 2007
SUBJECT : Elba III Project
Docket Nos. CP06-470-000 and
CP06-471-000

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Please place this correspondence with the U.S. Fish and Wildlife Service in the Public Files for the subject Dockets.

Attachments:

A letter, dated September 19, 2007 from the U.S. Fish and Wildlife Service, concurring with our determinations of effect on listed species from the Elba III Project.



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

105 West Park Drive, Suite D
Athens, Georgia 30606

West Georgia Sub Office
P.O. Box 52560
Ft. Benning, Georgia 31995-2560

SEP 19 2007

Coastal Sub Office
4270 Norwich Street
Brunswick, Georgia 31520

Mr. Michael J. Boyle, Chief
OEP Gas Branch 1, PJ-11.1
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426
Attn: Mr. Danny Laffoon

ORIGINAL

Re: FWS #07-1961

Dear Mr. Boyle:

The U. S. Fish and Wildlife Service (Service) has completed our review of the Final Environmental Impact Statement (FEIS) for the ELBA III Project (FERC/EIS-0207F) issued in August 2007. We submit the following comments under provisions of the Endangered Species Act (Act) of 1973, as amended; (16 U.S.C. 1531 *et seq.*). This correspondence addresses only those federally-listed species in Georgia under the jurisdiction of the Service. The project includes the Elba Terminal Expansion and the Elba Express Pipeline under Southern LNG Inc., Docket No. CP06-470 000 and Elba Express Company, LLC, Docket No. CP06-471-000.

In an August 10, 2007 correspondence, the Federal Energy Regulatory Commission (FERC) determined that the ELBA III Project is not likely to adversely affect West Indian manatees, wood storks, American alligators, eastern indigo snakes, flatwoods salamanders, Canby's dropwort, pool sprite, and pondberry. Based on information gathered from the FEIS and our meetings and communications with representatives from the FERC, the Georgia Department of Natural Resources, Southern LNG, Inc, EL Paso Company, NOAA National Marine Fisheries Service, the U. S. Army Corps of Engineers, and ENSR Consulting, we concur with the FERC's determination.

However, obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner

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that was not considered in this review; (3) a new species is listed or critical habitat determined that may be affected by the identified action.

Please contact Strant Colwell at (912) 265-9336 if you have questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Sandra S. Tucker". The signature is written in a cursive style with a large initial 'S'.

Sandra S. Tucker
Field Supervisor

cc: file
National Marine Fisheries Service, Saint Petersburg, Florida
Attn: Kyle Baker
USFWS, Charleston, South Carolina
USFWS, Brunswick, Georgia