



# GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

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April 28, 2008

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Mr. Donald Silawsky  
Office of Petroleum Reserves (FE-47)  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585-0301

Dear Mr. Silawsky:

The Gulf of Mexico Fishery Management Council (Council) has reviewed a notice of intent to prepare a Supplemental Environmental Impact Statement (SEIS) for the Richton, Mississippi Strategic Petroleum Reserve expansion site. The Department of Energy (DOE) is considering whether to select a new location for the raw water intake structure, from the location on the Leaf River as described in the record of decision, to a location with greater water availability. The DOE will also assess a new location for the marine oil terminal from the Singing River Island location described in the record of decision. The purpose of the SEIS will be to assess any changes that would be made as a result of changing the location of the marine oil terminal, the raw water intake structure, and brine diffuser. The Council has concerns about alternative raw water intake and the brine diffuser and their potential impact on species the Council manages along with impacts to essential fish habitat.

The Council is one of eight regional fishery management councils that were established by the Fishery Conservation and Management Act in 1976 (reauthorized as the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act [M-SFCMRA] in 2007). The Council prepares fishery management plans for fishery resources in the Exclusive Economic Zone of the Gulf of Mexico. Section 305 of the M-SFCMRA gives the Council the authority to comment and make recommendations on activities in state waters that would adversely affect essential fish habitat (EFH).

The Mississippi Sound has been designated as EFH for various life stages of red drum, gray snapper, stone crab, white shrimp, pink shrimp, and brown shrimp. Types of EFH include emergent wetlands, estuarine water column, estuarine benthic sediments, and submerged aquatic vegetation. Detailed information on these EFH designations can be located in the Council's 2005 Generic Amendment Number 3 for Addressing Essential Fish Habitat Requirements, Habitat Areas of Particular Concern, and Adverse Effects of Fishing in the Fishery Management Plans of the Gulf of Mexico. In addition to being designated as EFH for managed species, the project area also provides nursery and forage habitats that support additional ecologically, commercially, and recreationally important marine fishery species. Some of these estuarine dependent organisms serve as prey for species managed by the Council.

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The Council is concerned about potential impingement and entrainment issues associated with any changes to the raw water intake being located in the Mississippi Sound. The Final EIS for the Site Selection for the Expansion of the Strategic Petroleum Reserve stated that 50 million gallons of freshwater per day would be needed to solution mine the salt from the Richton salt dome. If water from Mississippi Sound were used, due to its salinity, the water would be less efficient in solution mining than freshwater. Therefore, more water would be needed each day to solution mine the salt. The SEIS needs to fully analyze and quantify the potential impact that impingement and entrainment could have on marine and estuarine organisms. The Council would like to see estimates of the number of eggs, larvae, and juveniles by species that are expected to be killed or impaired by the water intake through entrainment or impingement. The Council would then like these numbers to be transformed into estimated numbers of age-1 equivalent fish in order to determine population level fishery impacts. The SEIS needs to assess the economic value of these impacts on local commercial and recreational fisheries.

While the Final EIS quantified the direct impacts to EFH from the building of the oil refinery associated with the Richton site, it did not quantify the indirect impacts to EFH from alteration of freshwater inflow in the Pascagoula River estuary. If the raw water intake uses freshwater from the Leaf or Pascagoula River, the SEIS needs to analyze how this loss of freshwater will impact the Pascagoula River estuary and Mississippi Sound. Specifically, the SEIS needs to determine if loss of freshwater in the estuary will increase salinity levels in the estuary thereby leading to vegetative changes in EFH and potentially habitat loss for species that the Council manages.

The Council is also concerned about the placement of the brine diffuser 5 miles south of Horn Island. The Final EIS modeled the brine plume and discussed the increased salinities in the surrounding area. It did not discuss how the brine plume would impact estuarine dependent species that use Horn Island Pass to migrate from the Gulf of Mexico to Mississippi Sound nursery areas used by these species. The SEIS needs to analyze how the brine plume and its increased salinities will impact species that migrate through Horn Island Pass between Horn and Petit Bois Islands. Specifically, the SEIS needs to determine the impact on larval and postlarval recruitment from the Gulf of Mexico into Mississippi Sound. The brine diffuser impact may be reduced if it is located further offshore.

The Council appreciates the opportunity to present our concerns to you about this project. If you have any questions regarding our comments, please do not hesitate to contact us.

Sincerely,

  
Dr. Thomas McIlwain   
Council Chairman

TM:JR:plk

c: Gulf Council  
Jeff Rester  
Technical Staff