



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

OCT -7 2005

Thomas W. Waters
Chief, Policy and Policy Compliance Division
Directorate of Civil Works
Headquarters, US Army Corps of Engineers
7701 Telegraph Road
Alexandria, Virginia 22315-3860

Attn: CECW-P (IP)

Re: Poplar Island Environmental Restoration Project, Talbot County, Maryland

Dear Mr. Waters,

This is in response to a letter dated September 30, 2005 transmitting the report on the Poplar Island Environmental Restoration Project and the supplemental Environmental Impact Statement (SEIS) prepared in accordance with the National Environmental Policy Act of 1969 (NEPA). The Protected Resources Division of NOAA's National Marine Fisheries Service (NMFS PRD) has the responsibility of overseeing programs for species listed as threatened and/or endangered under our jurisdiction.

Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended, states that each Federal agency shall, in consultation with the Secretary, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. As several species of listed sea turtles and the endangered shortnose sturgeon (*Acipenser brevirostrum*) may occur in the areas of the Chesapeake Bay impacted by the Poplar Island project, a section 7 consultation was completed in regards to the impacts of this project on listed species. In a letter dated August 22, 2005, NMFS concurred with the determination made by the Army Corps of Engineers (ACOE) that the project was not likely to adversely affect any species listed under NMFS jurisdiction. No further coordination between NMFS PRD and the ACOE is necessary for this project and we offer no additional comments on the SEIS. Should you have any questions regarding these comments, please contact Julie Crocker of my staff at (978)281-9300 ext. 6530.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Nichols, F/NER4 - Annapolis

File Code: Sec 7 ACE NAB MD Island Restoration Poplar





MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lieutenant Governor

Kendl P. Philbrick
Secretary

Jonas A. Jacobson
Deputy Secretary

OCT 19 2005

Mr. Thomas W. Waters, Chief
Directorate of Civil Works
U.S. Army Corps of Engineers
Washington, D.C. 10314-1000

Dear Mr. Waters:

Thank you for your correspondence regarding the availability of the Supplemental Environmental Impact Statement (SEIS) for the Poplar Island Environmental Restoration Project, Talbot County, Maryland. I appreciate the copy of the document and the opportunity to respond to you regarding this important matter.

The Maryland Department of the Environment (MDE) has previously reviewed the Draft SIES and provided comments to the Baltimore District, Corps of Engineers (Corps). Our comments have been addressed and are reflected in the provided Final SEIS. MDE looks forward to working with the Corps and the Maryland Port Administration (MPA) in the further development of this project and MPA's application for a State Tidal Wetlands License and the Clean Water Act Section 401 Water Quality Certification (WQC). Appropriate staff at the District level should contact Mr. Elder Ghigiarelli, Water Management Administration at 410-537-3763 regarding the application for the Tidal Wetlands License and WQC.

Thank you again for your letter. If I may be of further assistance on this or any other matter, please do not hesitate to contact me at 410-537-3084 or Mr. George Harman, Program Manager, Environmental Assessment and Standards Program, Technical and Regulatory Services Administration at 410-537-3856, toll-free 800-633-6101 or via email gharman@mde.state.md.us.

Very truly yours,

Kendl P. Philbrick
Secretary

cc: Mr. Frank Hamons, Maryland Port Administration, DOT
Mr. Scott Johnson, Baltimore District
Mr. Jeffrey McKee, Baltimore District
Dr. Robert Summers, Water Management Administration, MDE
Mr. Elder Ghigiarelli, Water Management Administration, MDE
Mr. George Harman, Technical and Regulatory Services, MDE



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



OCT 24 2005

ER 05/846

Mr. Thomas W. Waters
Chief, Policy and Policy Compliance Division
Directorate of Civil Works
Headquarters, U.S. Army Corps of Engineers
CECW-P (SA)
7701 Telegraph Road
Alexandria, VA 22315-3860

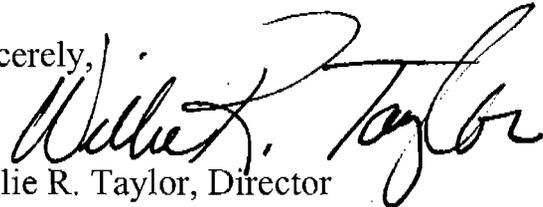
Dear Mr. Waters:

The Department of the Interior (Department) has reviewed the proposed report of the Chief of Engineers, Poplar Island Environmental Restoration Project, Chesapeake Bay, Talbot County, Maryland. The following comments reflect the analyses of our U.S. Fish and Wildlife Service (FWS).

We do not object to the proposed project. However, several significant magnitude and configuration issues regarding the inclusion of an open-water embayment as described in the Chief's Report have yet to be resolved. As indicated in the Final Supplemental Environmental Impact Statement the Corps expects to resolve these questions during the upcoming design phase of the project. In anticipation of that process, we reiterate our concern, stated in our response to the District Engineer, Baltimore District, of August 5, 2005, that an open-water embayment included within the project should not exceed approximately 80 acres.

Thank you for the opportunity to provide comments on the proposed Chief of Engineers Report. If you have any questions concerning these comments, please contact Mr. Jason Miller, FWS, 410-573-4522.

Sincerely,

A handwritten signature in black ink, appearing to read "Willie R. Taylor". The signature is fluid and cursive, with the first name "Willie" being the most prominent.

Willie R. Taylor, Director
Office of Environmental Policy
and Compliance

cc: Director, Fish and Wildlife Service
Director, National Park Service
Director, Geological Survey
Director, Office of Surface Mining
Regional Environmental Officer, Philadelphia
Regional Director, Fish and Wildlife Service, MA
Fish and Wildlife Service, Chesapeake Bay Field Office, MD



DEPARTMENT OF THE ARMY

U.S. Army Corps of Engineers
441 G Street N.W.
WASHINGTON, D.C. 20314-1000

05 DEC 2005

REPLY TO
ATTENTION OF:

North Atlantic Division
Regional Integration Team

Mr. Willie R. Taylor, Director
Office of Environmental Policy and Compliance
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Mr. Taylor:

This is in response to your letter dated October 24, 2005, providing comments on the Final Environmental Impact Statement and General Re-evaluation Report for the Poplar Island Environmental Restoration Project, Talbot County, Maryland. Specifically, you indicated it was your agency's view that the proposed open-water embayment portion of the project being considered on the northwest side of the proposed expansion not exceed approximately 80 acres.

As you are aware, the recommended project in the report includes an open-water embayment area of approximately 130 acres. However, it goes on to state that in the final project design the open water feature could range from 80 to 140 acres in size. Our Baltimore District will work with your agency, as well as with the National Marine Fisheries Service and other State and Federal resources agencies to finalize the specific design of the embayment during the detailed design phase of the project. The size and the configuration of the embayment will be a major consideration. Our goal will be to maximize the benefits of the project design. The USFWS has been a team member since the inception of the original project and serves in a wildlife management role as well as being on the Workgroup, Habitat Sub-Group, and Monitoring Sub-Group. We fully expect your agency to continue to be involved in the final project design, including the embayment, as this project progresses.

If you have any additional questions concerning this issue, please contact Mr. Mark Mendelsohn of the U.S. Army Corps of Engineers Baltimore District at 410-962-9499.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. Waters". The signature is stylized with a long horizontal stroke at the end.

Thomas W. Waters, P.E.
Chief, Policy and Policy Compliance Division
Directorate of Civil Works



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

November 22, 2005

Mark Mendelsohn
Planning Division
P.O.Box 1715
Baltimore, MD 21203

Headquarters,
U. S.Army Corps of Engineers
ATTN: CECW-P (IP)
7701 Telegraph Road
Alexandria, VA 22315-3860

Re: Poplar Island Environmental Restoration Project, Talbot County, Maryland, including the Supplemental Environmental Impact Statement (CEQ: 20050253)

Dear Mr. Mendelsohn:

In accordance with the National Environmental Policy Act of 1969 and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the Supplemental Environmental Impact Statement (SEIS) for the above referenced project. EPA has determined that the Corps of Engineers has adequately addressed our comments on the Draft dated August 8, 2005 within the SEIS.

Thank you for providing EPA with the opportunity to review this project. If you need assistance in the future, please contact me at 215-814-2741 or email at muir.william@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "William C. Muir".

William C. Muir
Regional Oceanographer

