

---

## 9. PUBLIC INVOLVEMENT AND AGENCY COORDINATION

Public participation and agency coordination is employed in the NEPA process to collect project information from private citizens, public interest groups, and government agencies to improve the quality of the environmental decision-making as part of the project (Canter, 1996). CEQ regulations (Title 40 CFR, Chapter V, Part 1506.6) stipulate the incorporation of public participation into multiple phases of the NEPA process, including project scoping and the review process of the recommended plan in the DEISs. Components of the public involvement program, as defined in 40 CFR, include at a minimum:

- Making diligent efforts to involve the public in preparing and implementing NEPA procedures;
- Providing public notice of hearings, public meetings, and the availability of environmental documents;
- Holding or sponsoring public hearings or public meetings whenever appropriate;
- Soliciting appropriate information from the public;
- Explaining where interested persons can obtain information, including status reports and other elements of the NEPA process; and
- Providing NEPA documents to the public as stated in the Freedom of Information Act.

Consideration of the views and information provided by interested persons promotes open communication and enables better decision-making. Agencies, organizations, and members of the public with a potential interest in the proposed action were urged to participate in the decision-making process. Public involvement and agency coordination were integrated into each stage of project development. The stages of the Poplar Island expansion study project development were: 1) issue identification and project scoping, 2) additional studies to define existing conditions, 3) public update meetings, 4) alternatives comparison, 5) recommended plan development, 6) impact evaluation and draft SEIS preparation, 7) responding to comments on the draft SEIS, and 8) preparing the final SEIS and completing the record of decision (ROD). Agency coordination for each stage of the expansion project are discussed in more detail in the following sections, and documented in Appendix F. In addition, agency coordination letters that were received as part of the correspondence from the Federal DMMP (USACE, 2005) that discussed the PIERP expansion study are also located in Appendix F, following all agency correspondence that occurred for the Draft GRR/SEIS for the PIERP expansion study. Public participation and outreach efforts for each stage of the expansion project are discussed in more detail in the following sections, and documented in Appendix G.

Public involvement and agency coordination for the original PIERP project began in 1994 in accordance with the NEPA process for the Integrated Feasibility Report and Environmental Impact Statement (EIS) for the PIERP, completed in 1996 (USACE/MPA, 1996). Both public involvement and agency coordination began in 1994 for the existing project and has continued for the proposed northern lateral expansion of the PIERP. Relationships have been established through many individuals and groups that extended into the evaluation of the proposed expansion project.

---

## 9.1 PUBLIC PARTICIPANTS

### 9.1.1 General Groups

The public involved in the expansion study included a diverse group of organizations and individuals, ranging from large government agencies to local watermen making their living on the Bay in the vicinity of PIERP. Participants varied in their degree and type of involvement with the project, as well as differences in their backgrounds and perspectives; however, in general, participants belonged to five identifiable groups:

- Agency Representatives – Have been involved in the expansion study. These agencies have been involved with PIERP since inception and are expected to maintain an active role throughout the life of the project. This group was included in an ongoing collaborative process with the project team. Representatives from MDNR, MPA, NOAA-NMFS, MES, USFWS, MGS, MDE, USGS, USEPA, and SHPO were consulted during this process.
- Local Government – Included representatives from Talbot County – Department of Public Works (DPW), County Council, Department of Tourism, and the County Manager are included in this group.
- Defined Groups – Were actively involved in the public involvement program. This group was primarily comprised of representatives from CAC, BEWG, the Poplar Island Working Group, charter boat captains, Maryland Saltwater Sportfishermen’s Association, the Coastal Conservation Association, and the Maryland Waterman’s Association.
- Educational Institutions - Include Universities that are conducting research at the PIERP and include UMCES – CBL, UMCES – HPEL, University of Virginia, Ohio University, and AACC.
- Private Citizens – Followed the study progress by attending public meetings, were kept informed about the project status, and provided comments when necessary. This group was comprised of local watermen from Talbot, Anne Arundel, and Dorchester Counties, private residents, and local business owners.
- Other Individuals – Individuals who followed news of the project, but did not attend meetings or take an active part in other aspects of the public involvement process. These individuals did not take part in public involvement activities or demonstrate interest in the project, but might, nevertheless, be affected by the project.

Identification of these five groups allowed for public meeting content to be targeted to a specific audience and ensured proper coordination and communication between the USACE and the public.

---

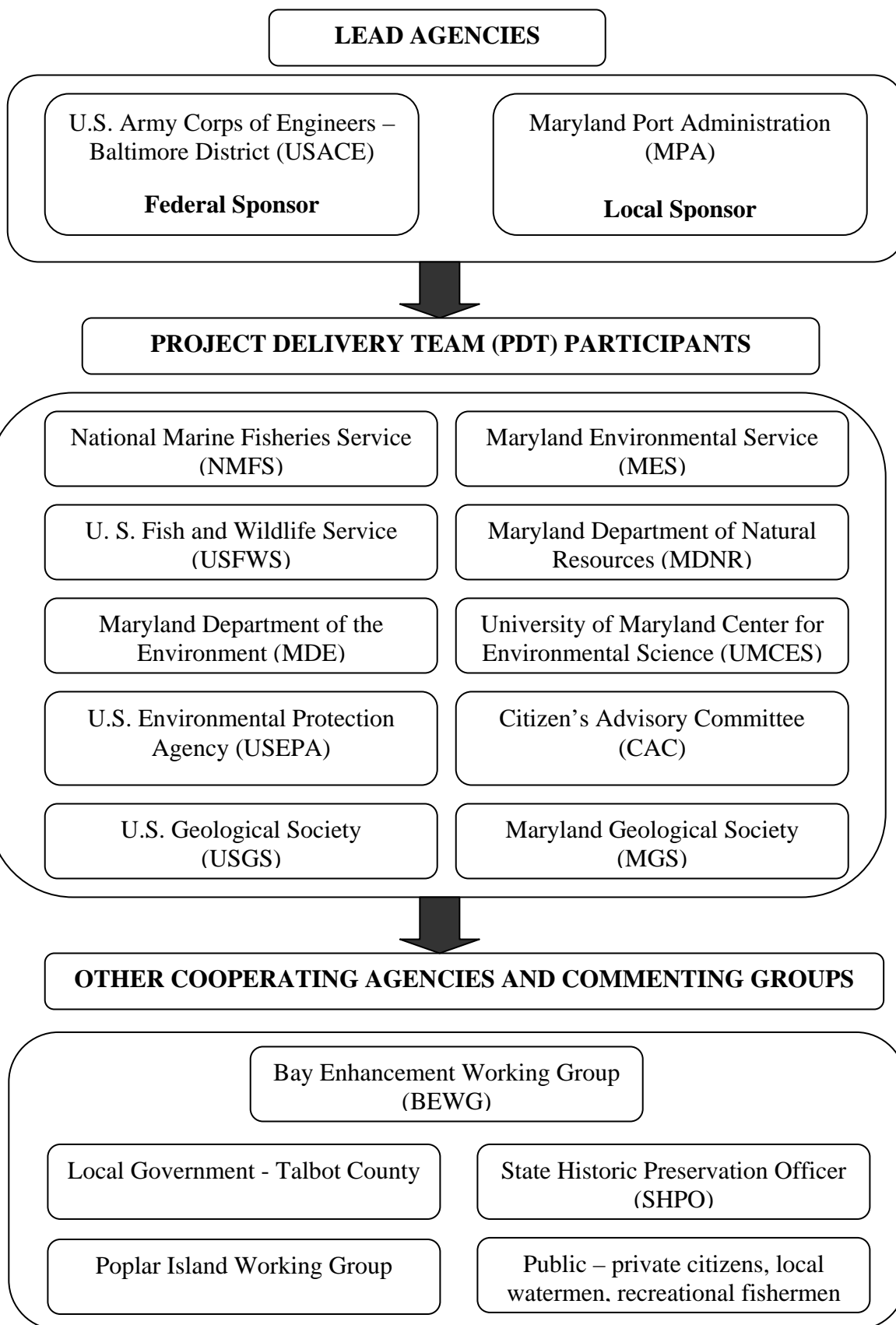
## 9.1.2 Involved Project Groups

Three groups have been involved with the expansion study since the project initiation and include the PDT, the DMMP groups, and the Poplar Island Working Group. The goals, responsibilities and team members are discussed in more detail in the following sections.

**9.1.2.a Project Delivery Team (PDT)** The expansion study PDT included members of the interagency working group associated with the PIERP and actively involved with the expansion study since the project initiation began on 29 October 2003. The USACE-Baltimore District served as the NEPA lead agency and Federal sponsor of the project and the MPA served as the local sponsor of the project. These agencies are responsible for preparing the NEPA documentation and making decisions that follow the policies and purposes of NEPA. The USACE and the MPA were committed to engaging in collaborative decision-making with other agencies and PDT members. The PDT was comprised of agencies and groups interested in the proposed project. The purpose of the PDT was to provide input and technical expertise and to guide the preparation and information required for the expansion GRR/SEIS. The PDT consisted of members from Federal, State, local agencies, Universities, and technical experts involved with the project. The goals of the group included communication and cooperation to identify, compromise, and resolve issues early and quickly, recognize and respect agency roles and responsibilities, and to work in partnership to develop an acceptable methodology to complete the project. The PDT meetings were held monthly to bimonthly to discuss the progress of the project, resolve issues associated with the project, and provide project updates to team members. The PDT was comprised of the Federal sponsor; the local sponsor; Federal agencies – USFWS, NMFS, and USGS; State and local agencies and groups – MDNR, MDE, MES, UMCES, and the CAC; and supporting technical experts (Figure 9-1). Finally, the interagency working group included cooperating agencies and groups involved in the project that provided comments, suggestions, and concerns throughout the project process and during formal public meetings and comment periods. Summaries of all PDT meetings are included in Appendix F.

**9.1.2.b Dredged Material Management Program Groups** The DMMP for the MPA is a comprehensive process used to establish long-term dredging placement plans and identify potential new placement sites. The State of Maryland DMMP relies on input from a variety of stakeholders including citizens and environmental groups, and State and Federal agencies. Stakeholders are organized into three committees – the Executive Committee, the Management Committee, and the CAC – and are supported by several technical working groups, including the BEWG and the Harbor Team, that are tasked with identifying, studying, reviewing, and prioritizing potential dredged material placement sites.

The State of Maryland's DMMP program is an on-going process that continuously reevaluates dredging options in response to changes in the short- and long-term dredging requirements. Over 100 individuals are included in the committee structure. The purpose of the State DMMP is to establish long-term dredging placement plans and to identify potential new sites, including the expansion of PIERP. Every proposed placement option must proceed through a series of in-depth concept, pre-feasibility and feasibility studies, which examine a wide range of



**Figure 9-1. Poplar Island Expansion Study Interagency Working Group**

---

characteristics that include environmental conditions, coastal engineering, dredging engineering, geotechnical engineering, and the social effects.

The CAC regularly holds bimonthly meetings at the MPA (Baltimore, MD). The Management Committee meets quarterly and holds meetings at the World Trade Center (Baltimore, MD); the Association of Maryland Pilots (Baltimore, MD); the USFWS Chesapeake Bay Field Office (Annapolis, MD); and at the MPA (Baltimore, MD). The BEWG regularly holds bimonthly meetings at the MPA (Baltimore, MD); the MES headquarters (Annapolis, MD); the USACE – Baltimore District (Baltimore, MD); and at the USFWS Chesapeake Bay Field Office (Annapolis, MD). The Executive Committee typically meets several times a year, or on an as needed basis. [Table 9-1](#) provides a list of when the expansion study was discussed as an agenda item for these DMMP groups.

**9.1.2.c Poplar Island Working Group** The Poplar Island Working Group is a multi-agency group that provides recommendations to the PIERP ERPCT on regulatory compliance, habitat development and management, and resource monitoring. The Poplar Island Working Group is comprised of Federal, State, and local agencies, environmental groups, representative academics from educational institutions, and commercial groups with an interest in the success of both the PIERP and the expansion study. The Federal, State, and local agencies involved in the Poplar Island Working Group include MES, MDE, USACE, MPA, MDNR, USGS, Talbot County DPW, CAC, USFWS, NOAA, NMFS, MGS, Baltimore County Department of Environmental Protection and Resource Management (DEPRM), USEPA, and USDA-APHIS. The commercial groups include Environmental Concern, Inc. (ECI), Environmental Regulations Consultant, Inc. (ERC), EA, and GBA. The educational institutions encompass Universities that are conducting research at the PIERP and include UMCES – CBL, UMCES – HPEL, University of Virginia, Ohio University, and AACC.

The Working Group meets twice annually to discuss updates on the PIERP, to provide input to the habitat development framework for the PIERP, and has and will be similarly active with the expansion study. The Working Group is comprised of two subcommittees that include the Habitat Subgroup and the Monitoring Subgroup. The Subcommittees of the Working Group were established to advise the management teams on restoration planning and operations and on environmental monitoring activities. The specific responsibilities of the Working Group are discussed in more detail in Chapter 8.

## **9.2 PUBLIC INVOLVEMENT**

The public involvement program was initiated at the beginning of the expansion study NEPA process to provide opportunities for public participation during each stage of the project development. The NOI for the expansion study project was published in the Federal Register on June 5, 2003. The NOI was the first public notice of the project and the first attempt to involve the public in the project process - the NOI provided a summary of the existing PIERP; described the need for the study; outlined project objectives, project components and environmental factors to be considered in the GRR and SEIS; identified project team participants; and also solicited public comment on the proposed project. The following sections describe the chronology of public involvement activities and events, including issue identification and project scoping,

---

*Poplar Island Environmental Restoration Project*

*September 2005*

*General Reevaluation Report (GRR) and Supplemental Environmental Impact Statement (SEIS)*

coordination of additional studies to define existing conditions, public update meetings, alternatives comparison and recommended plan development, impact evaluation, completion of the Draft GRR/SEIS, incorporation of comments, additional public meetings, the completion of the Final GRR/SEIS and the ROD.

**Table 9-1. Management Committee, CAC, and BEWG Meeting Dates that Included a Discussion of the Expansion Study**

Name of Committee	Date of Meeting		Name of Committee	Date of Meeting
Management Committee <sup>1</sup>	5/9/2001		Bay Enhancement Work Group (BEWG) <sup>3</sup>	3/18/2002
	9/19/2001			4/1/2002
	11/28/2001			4/3/2002
	1/16/2002			4/22/2002
	5/8/2002			6/17/2002
	5/22/2002			7/25/2002
	9/18/2002			8/21/2002
	11/8/2002			1/28/2003
	11/20/2002			5/5/2003
	2/26/2003			10/7/2003
	5/14/2003			1/6/2004
	11/5/2003			3/2/2004
	12/2/2004			3/16/2004
	2/27/2004			4/6/2004
5/18/2005	5/4/2004			
Citizens Advisory Council (CAC) <sup>2</sup>	5/16/2001			6/8/2004
	9/5/2001			7/6/2004
	1/9/2002			9/7/2004
	5/8/2002			11/9/2004
	7/10/2002			1/4/2005
	9/25/2002			2/8/2005
	11/13/2002			3/8/2005
	2/12/2003			4/5/2005
	8/13/2003			6/7/2005
	10/8/2003			8/2/2005
	12/10/2003			
	2/11/2004			
	4/14/2004			
	6/9/2004			
	8/11/2004			
	12/2/2004			
	1/12/2005			
	3/9/2005			
5/11/2005				

<sup>1</sup>Management committee meeting minutes are available from 1/10/2001 through 5/18/2005; <sup>2</sup>CAC meeting minutes are available from 1/17/2001 through 5/18/2005; <sup>3</sup>BEWG meeting minutes are available from 1/22/2002 through 4/5/2005.

---

### 9.2.1 Issue Identification and Project Scoping

The first stage of the public involvement and agency coordination program was to identify the issues and impacts associated with the project by establishing the scope of the SEIS. Meetings in the project initiation or scoping stage provided an opportunity to inform the public and government agencies about the proposed project; gather information from a multitude of sources; and discuss the potential project, ideas, issues, and concerns for consideration during the NEPA process. Forums for soliciting public input included public scoping meetings and informal interest group meetings.

The expansion study was initiated by a meeting with the non-Federal sponsor (MPA) in March 2003 and the kick-off meeting was held on October 26, 2003. The kick-off meeting was attended by representatives from USACE, MPA, MES, and EA Engineering, Science, and Technology.

The *Study Information and Coordination Notice* (Appendix F) was mailed to over 900 individuals and emailed to over 200 individuals, including citizens and interested parties at agencies and organizations. The mailing list used to distribute the *Study Information and Coordination Notice* was primarily based on the list of stakeholders, government and agency representatives, and interested private individuals identified as recipients for project information for PIERP. Federal, State, and local government agencies were also invited to participate in the public scoping meetings and given the opportunity to formally respond with their ideas and concerns to the *Study Information and Coordination Notice*.

In January 2004, the project scoping process was initiated and two scoping meetings of equal content were held to inform the public of the proposed expansion study (Table 9-2). Public scoping meetings were held at the Queen Anne's County Free Library - Kent Island Branch in Stevensville, MD on January 12, 2004 and at Tilghman Elementary School in Talbot County, MD on January 15, 2004. The public meetings were advertised in four local newspapers [*The Baltimore Sun* (Baltimore), *The Capital* (Annapolis), the *Star Democrat* (Easton), and the *Record Observer* (Talbot County)], announced in the Poplar Island Newsletter, on the USACE website, and by fliers posted in the local area (Table 9-2). At the public scoping meetings, USACE and MPA presented the study background, need, and proposed components; presented preliminary alignments under consideration for the lateral expansion; summarized the findings and successes of PIERP; presented the study schedule; and solicited public comments. At each public meeting, a question and answer session was conducted and comment cards were distributed to encourage attendees to express their opinions, make comments, or ask questions about the project in writing. Meeting minutes, attendance sheets, and a copy of the presentation for both public scoping meetings are included in Appendix G.

**Table 9-2. Poplar Island Expansion Study Publication Dates for Public Meeting Announcements**

<b>Public Meeting</b>	<b>Newspaper Name</b>	<b>Type of Advertisement</b>	<b>Day of the Week</b>	<b>Date of Publication</b>
Notice for Public Scoping Meetings – 12, 15 January 2004	<i>The Baltimore Sun</i>	Legal Notice	Wednesday	12/10/03
	<i>The Capital</i>	Legal Notice	Wednesday	12/10/03
	<i>The Star Democrat</i>	Legal Notice	Wednesday	12/10/03
	<i>The Record Observer</i>	Legal Notice	Friday	12/12/03
Reminder for Public Scoping Meetings – 12, 15 January 2004	<i>The Baltimore Sun</i>	Legal Notice	Thursday	1/8/04
	<i>The Capital</i>	Legal Notice	Wednesday	1/7/04
	<i>The Star Democrat</i>	Display Ad	Wednesday	1/7/04
	<i>The Record Observer</i>	Legal Notice	Friday	1/9/04
Notice for Public Update Meeting – 6 October 2004	<i>The Capital</i>	Display Ad	Wednesday	9/15/04
	<i>The Star Democrat</i>	Display Ad	Wednesday	9/15/04
	<i>The Record Observer</i>	Display Ad	Friday	9/17/04
	<i>Maryland Watermen's Gazette</i>	Display Ad	Wednesday	9/22/04
Watermen’s Meeting – 16 November 2004	<i>The Star Democrat</i>	Display Ad	Wednesday	11/10/04
	<i>The Record Observer</i>	Display Ad	Friday	11/12/2004
	<i>Maryland Watermen's Gazette</i>	Display Ad	Wednesday	11/15/04
Notice for Public Meetings – 19, 20 July 2005	<i>The Capital</i>	Legal Notice	Wednesday	7/6/05
	<i>The Star Democrat</i>	Legal Notice	Wednesday	7/6/05
	<i>The Star Democrat</i>	Display Ad	Thursday	7/7/05
	<i>The Record Observer</i>	Legal Notice	Friday	7/8/05
	<i>Maryland Watermen's Gazette</i>	Legal Notice	Wednesday	7/13/05

Following the public scoping meetings, several informal meetings were held with local groups with particular interest in the project (Table 9-3). Meetings were held between March and August 2004, and were attended by representatives from the study team, including USACE and MPA. Meeting participants included a group of regional watermen, and members of the Coastal Conservation Association, the Maryland Saltwater Sportfisherman’s Association Meeting, and the Maryland Watermen’s Association, (Table 9-3). The study team provided preliminary information, including the project need and preliminary alignments under consideration during the initial stages of the project. At each meeting, participants were encouraged to voice opinions and concerns about the project and/or submit comments in writing or by email.



**Table 9-3. Poplar Island Expansion Study Public and Informal Meeting Dates and Locations**

<b>Name of Meeting</b>	<b>Date</b>	<b>Location Of Meeting</b>
DMMP CAC Meetings	Bimonthly	MPA
DMMP BEWG Meetings	Bimonthly	MPA, MES, USACE, and USFWS
DMMP Management Committee Meetings	Quarterly	MPA, USFWS, and at the Association of Maryland Pilots
Public Scoping Meeting	12 January 2004	Queen Anne's County Free Library - Kent Island Branch in Stevensville, MD
Public Scoping Meeting	15 January 2004	Tilghman Island Elementary School Cafeteria
Regional Watermen's Meeting	3 March 2004	Tilghman Island Elementary School Library
Coastal Conservation Association (CCA) Executive Board Meeting	26 April 2004	Annapolis, MD
Poplar Island Working Group Meeting	25 May 2004	Tilghman Island
Maryland Saltwater Sportfisherman's Association (MSSA) Executive Board Meeting	1 June 2004	Glen Burnie, MD
Maryland Saltwater Sportfisherman's Association (Carroll County Chapter)	15 June 2004	Carroll County, MD
Maryland Watermen's Association (MWA) Executive Board	16 August 2004	MWA, Annapolis, MD
Maryland Saltwater Sportfisherman's Association (Essex-Middle River Chapter)	17 August 2004	1909 Old Easton Avenue, Essex, MD
Public Update Meeting	6 October 2004	Tilghman Island Elementary School Cafeteria
Tilghman Island Day	16 October 2004	Tilghman Island, MD
Charter Boat Captain's Meeting	19 October 2004	Deale, MD – Skipper's Restaurant
Poplar Island Working Group Meeting	5 November 2004	MPA – Point Breeze
Regional Watermen's Meeting	16 November 2004	Tilghman Island Elementary School Library

<b>Name of Meeting</b>	<b>Date</b>	<b>Location Of Meeting</b>
Talbot Economic Development Commission	7 April 2005 (am)	Talbot County Welcome Center
Cambridge Rotary Club	7 April 2005 (pm)	Cambridge Yacht Club
Dorchester County Council	12 April 2005	County office building, Cambridge
Dorchester Shore Erosion Committee	16 April 2005	Taylor's Island Fire Hall
Regional Watermen's Meeting	25 April 2005	Tilghman Island Elementary School Library
Talbot County Council	26 April 2005	Easton, MD
Poplar Island Working Group Meeting	24 May 2005	MPA – Point Breeze
Public Meeting – Draft GRR/SEIS	19 July 2005	Talbot County Free Library - Easton Branch in Easton, MD
Public Meeting – Draft GRR/SEIS	20 July 2005	Tilghman Island Elementary School Cafeteria

The input from the scoping process and the informal public meetings were incorporated into the plan formulation process and the identification of additional studies necessary to adequately document the existing conditions of the proposed project area.

### **9.2.2 Additional Studies to Define Existing Conditions**

The next stage of the expansion study included defining the existing conditions within the footprint of the proposed lateral expansion. Information gaps were identified based on an assessment of existing information, and additional environmental field studies were developed to adequately define the existing conditions. Information collected during the initial stages of the public scoping process, initial results of the plan formulation process, and previous reconnaissance studies were incorporated into the study design. Private citizens (watermen) and government agencies (NMFS, USFWS, MDNR) assisted in identifying locations and studies of particular interest that were included in the supplemental studies to define the existing conditions for this project. The proposed studies were discussed with experts at relevant government agencies prior to initiation for their approval, concurrence, and support. The agency coordination process was utilized to plan, design, and implement the following supplemental environmental studies:

- Seasonal Finfish Studies – John Nichols (fisheries biologist, NMFS), Bob Pennington (biologist, USFWS) and John Gill (fisheries biologist, USFWS) were consulted for study recommendations, and to approve the methodology and sampling locations of the seasonal gillnet, trawl, and seine net locations for the finfish studies. Plankton studies and pop-netting were not recommended.

- 
- Commercial Clamming Survey – Commercial shellfish studies were requested by John Nichols (fisheries biologist, NMFS) and Roland Limpert (biologist, MDNR). Both suggested that the methods to calculate catch-per-unit effort for the commercial clam studies should parallel those used for the Integrated EIS and Feasibility Study for Mid-Chesapeake Bay Island Ecosystem Restoration (described in detail in Section 1.8.2), which were coordinated through MDNR. Mitchell Tarnowski (shellfish biologist, MDNR) was consulted to review and approve the sampling methodology. Additionally, Jason Miller (fish and wildlife biologist, USFWS) was consulted to approve sampling locations for the clam dredging transects to ensure avoidance of observed SAV in Poplar Harbor.
  - Commercial Crabpot Survey – A survey of the crabpot usage in the vicinity of PIERP was initially requested by Roland Limpert (biologist, MDNR) and John Nichols (fisheries biologist, NMFS) for the Mid-Bay Islands study, and multiple members of the BEWG requested that these studies also be conducted at PIERP for consistency. UMCES had reviewed the previous survey results and was consulted to develop a methodology for the Poplar Island expansion study that would best quantify usage in the expansion areas. This study was designed to quantify utilization in the vicinity of PIERP during the period of greatest crab abundance/harvest (June through September) and included surveying areas identified as important by commercial watermen during meetings with the USACE.
  - SAV Survey – SAV studies were requested by John Nichols (fisheries biologist, NMFS) to evaluate the current resources and the potential for impact to Habitat of Particular Concern. This survey was designed to provide data on SAV occurrence within the proposed project footprint. Jason Miller (fish and wildlife biologist, USFWS) was contacted for approval of the time of year, methodology, and consistency with the USFWS studies. The SAV survey for the Poplar Island expansion study was designed to include all Tier II SAV habitat (6.5 ft or less) within the project footprint.
  - Cultural Resources – To comply with Section 106 of the NHPA, Phase I cultural resource investigations within the 1080-acre study area were conducted by RC Goodwin and Associates to identify potential cultural resources. Phase II investigations were conducted for two cultural targets identified in the Phase I surveys: T-13 (located within the proposed northern alignment) and T-29 located west of Jefferson Island. Informal consultation was conducted with SHPO regarding buffer/avoidance areas for two additional targets: T-8 (located adjacent to the eastern edge of northern alignment) and T-28 (located in southwestern borrow area).

Results of the supplemental studies for the expansion study are summarized in the appropriate sections of Chapter 3 (EA, 2005a).

---

### 9.2.3 Public Update Meetings

A public update meeting was held on 6 October 2004 at Tilghman Island Elementary School to present changes made to the project as a result of both the public scoping process and the plan formulation process for the DSEIS (Table 9-3). The public meetings were advertised in four local newspapers and announced by fliers posted in the local area (Table 9-2). At the public update meeting members of the project team presented an update on the project progress, two conceptual lateral alignments, and results of the viewshed analysis. At the public update meeting, a question and answer session was conducted and comment cards were distributed to encourage attendees to express their opinions, make comments, or ask questions about the project in writing. A writer for the *Star Democrat* newspaper covered the meeting and a story describing the concerns raised and outcome of the meeting was published on 11 October 2004 (Appendix G). Meeting minutes, attendance sheets, and a copy of the presentation for the public update meeting are included in Appendix G.

Following the public update meeting, several informal meetings were held with local groups with particular interest in the project (Table 9-3). A meeting was held with local watermen and representatives of the Maryland Waterman's Association on 16 November 2004. A primary objective of the meeting was to solicit comments from local watermen that work in the vicinity of PIERP, especially those in the Tilghman Island area. This meeting was specifically targeted to address the concerns of local watermen, and was scheduled after poor attendance by local watermen at both the public scoping meeting and public update meeting. The waterman's meeting was advertised in three local newspapers and was announced by fliers posted in the local area (Table 9-2). As a result of these meetings, the study team discussed a request by local watermen of replacement areas to offset the loss of bottom habitat that may impact their livelihood. The watermen requested an area that is not currently opened for trot-lining at the mouth of Eastern Bay in return for the proposed loss of bottom from the expansion study, specifically the area that spans from Wades Point to Bloody Point, as an option. The project team agreed to contact MDNR regarding this request.

Additional public update meetings were held between November and April 2005, and were attended by representatives from the study team, including USACE and MPA. Meeting participants included a group of regional watermen, the Talbot Economic Development Commission, the Cambridge Rotary Club, the Dorchester County Council, the Dorchester Shore Erosion Committee, and the Talbot County Council (Table 9-3). The study team provided updates to the project and a forum for discussions concerning the project. At each meeting, participants were encouraged to voice opinions and concerns about the project and/or submit comments in writing or by email. At most meetings, meeting minutes were recorded and an attendance sheet was completed and are included in Appendix G.

### 9.2.4 Alternatives Comparison and Recommended Plan Development

Public participation was necessary in the preparation of the GRR/SEIS and included comment periods following project update meetings. The USACE reviewed, considered, and responded to public and agency comments. A comparison of alternatives was completed to identify a recommended plan. Certain environmental factors were considered at this stage and were

---

weighted based on local importance. At this stage, the recommended plan was identified. Following the identification of the recommended plan, public involvement activities included: 1) informing the public of the decision and why it was chosen, 2) final resolution of public conflicts, and 3) solicitation of feedback concerning the final decision for the proposed action.

Results of the public meetings, specifically the meetings that targeted local watermen, were used to screen proposed alternatives and are described in this section in further detail. As part of the reconnaissance studies, six alternative lateral expansion alignments (Alignments 1 through 6) were developed and presented at the first public scoping meetings (January 12 and 15, 2004) in Stevensville, MD and at Tilghman Island. The public, including local watermen, were concerned with loss of crabbing and clamming areas to the south and navigation to the south of the island for the alignments with southern expansion areas. The alignments that extended to the south were then eliminated from further analysis, based upon public concerns. Alignment 6 was then selected for further analysis by the USACE and PDT, and an additional alignment (Alignment 7) was developed to address the area to the north of the existing project and selected for further analysis. Based on the public suggestions for a northern expansion, a 575-acre northern alignment was then developed and presented at the 6 October 2004 public update meeting at Tilghman Island. At this meeting, local watermen requested that the alignment should be shifted more to the south to avoid areas of heavy crab usage that were not previously identified at public or watermen's meeting. Following this suggestion, two options (Options 1 and 2) were developed for the northern alignment to address the watermen's concerns. The two options were then presented at the November 16, 2004 public meeting with local watermen at Tilghman Island. At this meeting, the watermen suggested removing Option 2 from further study because it encroached on harvesting areas in deeper waters to the north. At the April 25 watermen's meeting, USACE-Baltimore District was asked to move a short section of the northeast dike to avoid potential impacts to the adjacent NOB. This design change was incorporated into subsequent project designs.

The USACE has updated the public and, therefore, considered the public concerns, specifically input from local watermen, since the project inception and throughout the GRR/SEIS process. As the project progresses, the public will continue to play an active role in the expansion study.

### **9.2.5 Impact Evaluation, Draft GRR/SEIS Preparation, and Comments**

The public and agency concerns during the first three stages of the public involvement process were discussed by the project team and potential avoidance and minimization techniques to offset these concerns were coordinated with government agencies. As a result of public concerns, the study team discussed a request by local watermen for replacement areas to offset the loss of bottom habitat associated with the proposed lateral expansion. This request targeted opening an area not currently authorized for trot-lining at the mouth of Eastern Bay in return for the proposed loss of bottom from the expansion project. The local sponsor (MPA) is coordinating with MDNR regarding this request.

The USACE made the Draft GRR/SEIS available to the public for review and comment through a Notice of Availability published in the Federal Register on June 24, 2005. The draft report was

---

issued to almost 900 participants, including Federal, State and local agencies, and private citizens. The USACE also distributed either hard copies or electronic copies of the Draft GRR/SEIS to appropriate members of Congress, State, and local government officials, Federal agencies, and other interested parties.

Copies of the Draft GRR/SEIS were available for public review at the following public reading rooms:

- Talbot County Public Library, Easton Branch, 100 West Dover Street, Easton, MD 21601
- Queen Anne's County Public Library, Stevensville Branch, 200 Library Circle, Stevensville, MD 21666
- Anne Arundel County Public Library, 1410 West Street, Annapolis, MD 21401.
- Talbot County Public Library, Tilghman Island Elementary School Branch, 21374 Foster Avenue Tilghman, MD 21671
- Enoch Pratt Free Library, 400 Cathedral St., Baltimore, MD 21201-4484

In addition to the mailings and availability at the public reading rooms, the Draft GRR/SEIS and related information was also available on the USACE web page at: <http://www.nab.usace.army.mil/projects/Maryland/PoplarIsland/expansion.html>.

The comments on the Draft GRR/SEIS were solicited from the public and relevant resource and regulatory agencies. The comments received were considered and formally reported and addressed in the Final GRR/SEIS as Appendix J. A brief summary of written comments is provided in [Table 9-4](#). Appendix J includes Federal, State, and local comments to the Draft GRR/SEIS following the release in June 2005, as well as group and association comments, public comments, and oral statements made at the 19 and 20 July 2005 public meetings ([Table 9-5](#)). The formal comment period for the Draft GRR/SEIS lasted 45 days and ended on August 8, 2005. Both written and electronic comments were accepted and received by Mr. Mark Mendelsohn of the Planning Division at the USACE-Baltimore

## **9.2.6 Public Meetings**

Following the release of the Draft GRR/SEIS in June 2005, public meetings were held in July 2005 to discuss the recommended plan and solicit comments and oral statements from the public and relevant resource agencies ([Table 9-3](#)). Two public meetings identical in format and content were held at two locations. The first meeting was held at the Talbot County Free Library - Easton Branch in Easton, MD on July 19, 2005 and the second meeting was held at Tilghman Elementary School in Talbot County, MD on July 20, 2005. The public meetings were advertised in four local newspapers [*The Capital* (Annapolis), the *Star Democrat* (Easton), the *Record Observer* (Talbot County), and the *Maryland Watermen's Gazette* (MD)], announced in the Notice of Availability (Appendix G), posted on the USACE website, and advertised by fliers placed in the local area ([Table 9-2](#)). At the public meetings, the USACE and MPA presented a summary of the findings published in the Draft GRR/SEIS, discussed the public comment period, and solicited formal public statements that were recorded by a professional stenographer. At each public meeting, an informal question and answer session followed the formal statements

**Table 9-4. Summary of Written Comments Received Regarding Draft GRR/SEIS.**

<b>Affiliation</b>	<b>Name</b>	<b>Date</b>	<b>Comment Summary</b>
<b>Federal Government Comments</b>			
USFWS	Michael Chezik	Aug. 5, 2005	Supportive of open-water embayment concept, although indicated that this design concept would only be applicable to Poplar Island (not other future restoration projects) due to logistical and local environmental/resource constraints. Provided recommendation for additional study of size, location, hydrodynamic and hydraulic modeling, erosion and debris accumulation, human attractive-use activity, fishery enhancement structures, bird island/habitat structures, and future management and maintenance of embayment. Recommended 225 acres wetlands, 270 acres upland, and 80 acres open-water embayment. Expressed interest with involvement in future design discussions.
USEPA, Region III	William Arguto	Aug. 8, 2005	Supportive of open-water embayment concept. Suggested additional vertical raising to avoid loss of Bay bottom. Also supports wetland restoration in Dorchester County as long-term management solution. Requested sediment testing for new channels using testing requirements in the Upland Testing Manual.
NMFS	John Nichols	Aug. 8, 2005	Supportive of open-water embayment, particularly minimum size of 130 acres. Expressed interest with continued involvement during design phase of the project. Concerns regarding minimization of impacts to southwestern borrow area and potential for anoxia or hypoxic conditions.
NMFS	Patricia Kurkul	Aug. 9, 2005	ESA Section 7 concurrence. Proposed project will not adversely affect threatened or endangered species under NMFS jurisdiction.
<b>State Agency Comments</b>			
MDNR	Kerri Gallo	July 15, 2005	Project will require formal review and approval by the Critical Area Commission.
MDNR	Ray Dintaman	Aug. 4, 2005	Supportive of open-water embayment. Recommended study of size, location, potential for wetland erosion, capital and life-cycle maintenance costs, and incorporation of bird nesting islands. Expressed interest with involvement in future design discussions. Project will require formal review and approval by the Critical Area Commission.
MDE	George Harman	Aug. 16, 2005	Indicated that the document was “Generally Consistent” with MDE regulatory programs. MDE has participated in the majority of project meeting and has no other comments.
<b>Group and Association Comments</b>			
Jefferson Island, LLC	Tim Henderson	Aug. 8, 2005	Concerns regarding the following: 1) level of study for impacts to Jefferson Island (particularly related to “Study Area”); 2) impacts to adjacent lands as a study; 3) establishment of a pier at Jefferson Island for potential public use; 4) viewshed impacts; 5) impacts related to elevated and prolonged construction noise; 6) use of the term “temporary” as related to impacts; 7) potential for sedimentation and continued deep water access.
Coastal Conservation Association	Donald Silliman	Aug. 8, 2005	Supportive of alternative 1 with inclusion of open-water embayment. Concern for loss of Bay habitat by creating islands larger than historic footprint. Supportive of embayment and other fishery enhancements to offset loss of recreational fishing area. Expressed interest in development of and representation within a citizen’s advisory group for Poplar Island.

Maryland Watermen's Association	Larry Simms	Aug. 8, 2005	Concern for livelihood of local watermen and loss of prime crabbing and clamming areas within project footprint. Concerns regarding dredging of sand from southwestern borrow area. Requested new crabbing areas to offset loss from the proposed expansion. Suggested additional establishment and restoration of oyster bars to offset losses from the proposed expansion.
<b>Public Comments</b>			
B. Sachau	Citizen	June 26, 2005	Generally, non-supportive of the proposed expansion, dredging, and USACE projects.

**Table 9-5. Summary of Oral Comments Received During July 2005 Public Meetings.**

<b>Affiliation</b>	<b>Name</b>	<b>Date</b>	<b>Comment Summary</b>
Talbot Resident and Recreational Boater	Robert Parker	July 19, 2005	Supportive of Poplar Island project. Indicated that Knapps Narrows Channel was in need of maintenance dredging. When would it be dredged and could some of this material be used for construction at Poplar Island?
Talbot County Department of Parks and Recreation	Rick Towle	July 19, 2005	Supportive of Poplar Island project and potential recreation benefits including canoeing, kayaking, and other activities.
Maryland Port Administration	Nat Brown	July 20, 2005	MPA is working in partnership with the USACE and supports beneficial use and the expansion at Poplar Island. Expansion of Poplar is an important component of the State's Dredged Material Management Plan (DMMP). MPA looks forward to continuing to work with federal and state agencies and the citizens of Talbot County.
Maryland Watermen's Association	Russell Dize	July 20, 2005.	Concerns regarding the following: 1) expansion alignment and the loss of productive crab and clamming areas; 2) vertical raising; 3) well-being and livelihood of local watermen; 4) potential for future lateral and vertical expansion; 5) and sand dredging in southwestern borrow area.
Coastal Conservation Association	Sherman Baynard	July 20, 2005	Supportive of the proposed expansion at Poplar Island. Concerns regarding future expansion and creation of another Hart-Miller Island. Suggested addition of design features to enhance recreation fishing and offset loss of recreational fishing area. Requested continue opportunities for public involvement for design and implementation of future projects.



---

and comment cards were distributed to encourage attendees to express their opinions, make comments, or ask questions about the project in writing. Meeting minutes, attendance sheets, a copy of the presentation for both public meetings, and transcripts of the meeting minutes including the formal statements are included in Appendix G. A brief summary of oral comments is provided in [Table 9-5](#).

### **9.2.7 Preparation of the Final SEIS and Record of Decision (ROD)**

At the conclusion of the NEPA process, appropriate Federal findings were documented in a ROD. The USACE prepared documentation to support and explain the decision on the proposed project and the consideration of funding for the proposed project. The ROD contained findings, explanations of findings, and the USACE approvals and Federal Actions necessary to facilitate the proposed project based on projected environmental and socioeconomic impacts. The discussion highlighted the major opinions of the Federal, State, and local government agencies as well as local citizens, including watermen and private residents, and documents the USACE responses to these comments

## **9.3 RELATIONSHIP TO PLANNING PROCESS**

The stages of the public involvement program for proposed expansion of the PIERP described above were designed to correspond with the major study phases of the project and the NEPA process. This plan allowed the integration of the results of the public involvement program with the planning process at every level. This process encouraged an interaction among the project team that was critical in building and maintaining public support for the project. At each stage of the study, the information collected during the previous public involvement stage was reviewed and considered by the project team and incorporated into the project design, when possible.

Long-term agency coordination throughout the PIERP and into the early plan formulation stages and the later stages following the release of the Draft GRR/SEIS were consistent throughout the entire GRR/SEIS process. Agencies playing key roles in proposed expansion of the PIERP included NOAA-NMFS, MDNR, USFWS, MES, MPA, SHPO, and MDE. These agencies repeatedly collaborated during the design, construction, and monitoring phases of the PIERP and have continued to communicate and coordinate on a regular basis during each stage of the expansion study. Agency participation was important in developing early conceptual plans for the island restoration, and agencies will continue to play an active role through the project design, implementation, and monitoring.

## **9.4 AGENCY COORDINATION**

### **9.4.1 Interagency Working Group Coordination**

Interagency coordination was important both early and throughout the study process to achieve a successful project outcome. The expansion study PDT included members of the interagency working group associated with the PIERP and involved with the expansion study since the project initiation began on October 29, 2003 and through the present (as discussed in

---

Section 9.4.2.a). Many of the PDT members were involved in the planning of the existing project, the PIERP. The PDT was comprised of the Federal sponsor – USACE-Baltimore District; the local sponsor – MPA, Federal agencies – USFWS, NMFS, and USGS; State and local agencies and groups – MDNR, MDE, MES, UMCES, and the CAC; and supporting consulting companies (Figure 9-1). Finally, the interagency working group included cooperating agencies and groups involved in the project that provided comments, suggestions, and concerns throughout the project process and during formal public meetings and comment periods. A list of the PDT meeting dates is included below and a summary of notable discussions and significant decisions related to the project are included in Appendix F.

List of PDT meeting dates:

- 29 October 2003 (Kick-Off Meeting)
- 20 November 2003
- 2 December 2003
- 16 December 2003
- 8 January 2004
- 29 January 2004
- 4 February 2004
- 19 February 2004
- 18 March 2004
- 1 April 2004
- 20 April 2004
- 13 May 2004
- 21 May 2004
- 19 August 2004
- 16 September 2004
- 21 October 2004
- 16 December 2004
- 20 January 2005
- 17 February 2005
- 17 March 2005
- 21 April 2005

#### **9.4.2 Agency Coordination**

Agency comments have been requested on multiple occasions throughout the GRR/SEIS process. For initial solicitation of agency comment on the proposed project, the *Study Information and Coordination Notice* (Appendix F) was mailed and emailed to Federal, State, and local agencies and organizations (list of agencies and organizations contacted is included below). The *Study Information and Coordination Notice* also invited interested Federal, State, and local government agencies to participate in the public scoping meetings.

Ongoing coordination and meetings with specific agencies are discussed in detail in Section 9.4.2.a. The proposed environmental design features suggested by NMFS is included in Section 9.4.2.b and specific SHPO coordination follows the discussions by each agency in Sections 9.4.2.c.

#### **List of Agencies and Organizations Contacted for Expansion Study Coordination**

**Agencies and Organizations:**

- U.S. Department of Defense
  - ◆ U.S. Army Corps of Engineers
  - ◆ U.S. Army Aberdeen Proving Ground
- U.S. Department of Homeland Security

- 
- ◆ U.S. Coast Guard – Activities Baltimore, Waterways Management
  - U.S. Environmental Protection Agency
    - ◆ Chesapeake Bay Program
    - ◆ Community & Ecosystem Protection Branch
    - ◆ Environmental Assessment and Innovation Division
  - U.S. Postal Service
  - U.S. Department of Agriculture
    - ◆ Natural Resource Conservation Service
  - U.S. Department of the Interior
    - ◆ U.S. Geological Survey
    - ◆ Office of Environmental Policy & Compliance
    - ◆ U.S. Fish & Wildlife Service
      - Chesapeake Bay Field Office
      - Division of Habitat Evaluation & Protection
      - Blackwater National Wildlife Refuge
    - ◆ National Park Service
  - U.S. Department of Energy
    - ◆ Federal Energy Regulatory Commission
    - ◆ Office of Environmental Compliance
  - National Aquarium
  - U.S. Department of Commerce
    - ◆ National Oceanic and Atmospheric Administration
      - National Marine Fisheries Service, Habitat Conservation Division
    - ◆ Chesapeake Bay Office

**State Agencies:**

- Maryland Department of Natural Resources
  - ◆ Fisheries Division
  - ◆ Fisheries Service
  - ◆ Licensing & Registration Service Division
  - ◆ Chesapeake Bay Critical Area Commission
  - ◆ Shore Erosion Control Program
  - ◆ Fish Management Plan Program
  - ◆ Coastal Zone Management Division
  - ◆ Cooperative Oxford Laboratory
  - ◆ Wildlife and Natural Heritage
  - ◆ Chesapeake & Coastal Watershed Services
  - ◆ Monitoring & Non-tidal Assessment Division
  - ◆ Natural Resources Police
  - ◆ Maryland Geological Survey
  - ◆ Information Resource Center
  - ◆ Boating Administration
- Maryland Department of General Services
- Maryland Port Administration
  - ◆ Planning & Environment

- 
- ◆ Harbor Development
  - Maryland Department of the Environment
    - ◆ Technical & Regulatory Services Administration
    - ◆ Tidal Wetlands Division
    - ◆ Water Management Administration
    - ◆ Sediment & Stormwater Plan Review Division
    - ◆ Dredging Coordination & Assessment Division
    - ◆ Non-point Source Program
  - Maryland Department of Planning
  - Maryland State Highway Administration
    - ◆ Office of Environmental Design
  - Maryland Board of Public Works
  - Maryland Department of Agriculture
  - Maryland Department of Transportation
  - Maryland Environmental Services
  - State Water Quality Advisory Committee
  - D.C. Environmental Health Administration
    - ◆ Water Quality Division
    - ◆ Fisheries & Wildlife Division
  - Virginia Department of Environmental Quality
  - Virginia Port Authority
  - Virginia Marine Resources Commission

**Local Agencies:**

- Accomac County
  - ◆ Planning Commission
  - ◆ Department of Building, Planning and Zoning
- Anne Arundel County
  - ◆ Community & Environmental Health
  - ◆ Land Use Office
  - ◆ Environmental Commission
  - ◆ Department of Planning & Code Enforcement
  - ◆ Department of Planning & Zoning
  - ◆ Department of Public Works
- Baltimore County
  - ◆ Department of Environmental Protection & Resource Management
- Calvert County
  - ◆ Department of Environmental Health
  - ◆ Board of County Commissioners
  - ◆ Department of Planning & Zoning
  - ◆ Department of Economic Development
- City of Baltimore
  - ◆ Department of Planning
- City of Cambridge
  - ◆ Department of Public Works

- 
- Kent County
    - ◆ Department of Environmental Health
    - ◆ Department of Public Works
    - ◆ Board of County Commissioners
    - ◆ Department of Housing & Community Development
    - ◆ Department of Planning & Zoning
  - Dorchester County
    - ◆ Board of County Commissioners
    - ◆ Department of Public Works
    - ◆ Highway Department
    - ◆ Planning & Zoning Office
    - ◆ Economic Development Office
    - ◆ Department of Public Safety
  - Essex/Middle River Civil Council
  - Harford County
    - ◆ Department of Public Works
  - HMI Citizens Oversight Committee
  - Northern Neck Planning District Commission
  - Northumberland County
    - ◆ Office of Building & Zoning
    - ◆ Planning Commission
  - Queen Anne's County
    - ◆ Board of County Commissioners
    - ◆ Department of Environmental Health
    - ◆ Department of Planning & Zoning
    - ◆ Department of Public Works
  - St. Mary's County
    - ◆ Department of Public Works
    - ◆ County Planning Commission
    - ◆ Department of Economic & Community Development
    - ◆ Department of Environmental Health
  - Somerset County
    - ◆ Board of County Commissioners
    - ◆ Economic Development
    - ◆ Soil Conservation District
    - ◆ Department of Technical & Community Services
  - Talbot County
    - ◆ Office of Planning & Zoning
    - ◆ Department of Public Works
  - Wicomico County
    - ◆ Department of Public Works
    - ◆ Department of Planning, Zoning & Community Development

**News Organizations:**

- *The Banner*

- 
- *Crisfield Times*
  - *Marylander and Herald*
  - *Maryland Gazette*
  - *Kent County News*
  - WBAL – TV, Channel 11
  - *The Somerset Herald*
  - *Eastern Shore News*
  - WBIS Baltimore/Annapolis – Business Radio 1190
  - *The Daily Banner*
  - *Salisbury Daily Times*
  - *Northumberland Echo*
  - *The Star Democrat*
  - *Times Record*
  - Maryland Public Television – WCPB
  - WMDT – TV, Channel 47
  - *Evening Capital Gazette*
  - *Maryland Waterman’s Gazette*
  - *Bay Weekly*
  - *The Capital Gazette* Newspaper
  - *The Baltimore Engineer*
  - *The Baltimore Sun* Newspaper
  - *The Record Observer* Newspaper
  - *The Star Democrat* Newspaper
  - WJHU Radio
  - WBJC – FM Radio
  - WBFF FOX – 45
  - WNUV WB – 54
  - WJZ - TV
  - WMAR - TV

**9.4.2.a Meetings and Ongoing Coordination** Agency coordination was an on-going process since the initiation of the EIS for the original PIERP project and continued throughout the expansion study. Federal, State, and local agencies were actively involved in the PDT, as discussed in Section 9.4.2.a, which provided a forum for discussion between the lead agencies and concurring agencies. In addition to requesting comments through the *Study Information and Coordination Notice* and soliciting ideas during team meetings and public meetings, more detailed information was requested from targeted agencies as a follow-up to the notice. Resource-specific meetings were held to present project information and discuss projected impacts. These meetings and discussions were integral to the timely completion and agency support of the project. Discussions of scheduled meetings and important coordination are included by agency below.

U.S. Fish and Wildlife Service (USFWS) – Coordination with USFWS occurred throughout the SEIS process concerning SAV, RTE species, fisheries surveys, shellfish resources, the study scope, and the recommended alignment. The USFWS was an active participant in the PDT and regularly attended team meetings. Section 7 (ESA) consultation was initiated with

---

the USFWS (Mr. John Wolflin) in January 2004 through a letter request. Mr. Bob Pennington (biologist, USFWS) and Mr. John Gill (fisheries biologist, USFWS) were consulted in early 2004, prior to the initiation of the supplemental aquatic field studies, for study recommendations and to approve the methodology and sampling locations. On 26 January 2005, the USACE met with Mr. Wolflin, Field Supervisor, USFWS, Chesapeake Bay Field Office. The purpose of the meeting was to update Mr. Wolflin on the dredging program and specifically on the existing PIERP Environmental Restoration Project and the expansion alternatives including a concept alignment proposal submitted by NMFS (Mr. John Nichols). Mr. Scott Johnson at the USACE presented an overview of the dredging program including the DMMP, the Mid-Chesapeake Bay Island Study (James and Barren), and opportunities at Blackwater Wildlife Refuge. A second Section 7 letter was sent to the USFWS in February 2005 that provided an update on project details and requested information on the presence of Federally protected species of animals listed by Section 7 of the ESA, specifically targeting information concerning the existing Bald Eagle nest on Coaches Island.

Mr. Chris Guy attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other small dredging projects. USFWS expressed particular concern regarding the existing sediment testing program and recommended that the testing and evaluation process be re-designed to evaluate effects to receptors that would utilize created wetland and upland habitats. After significant discussion, Mr. Guy indicated that USFWS: 1) supported the recommendation for placement of material from the southern approaches to the C&D Canal at PIERP following closure of Pooles Island, with the caveat that the testing program should be re-designed to include elements to support beneficial use and island restoration; and 2) did not support placement of material from small non-Federal dredging projects at Poplar Island. The USFWS followed up on Mr. Guy's recommendations with a letter dated 11 May 2005 (Appendix F) that stated the USFWS would not object to the placement of Southern C&D Approach Channel material at the PIERP, provided that appropriate testing is conducted, and USFWS recommended that placing material from smaller Federal navigation projects at PIERP be discouraged. In this same letter, regarding the sediment quality and evaluation, the USFWS recommended developing an exposure-based process to evaluate receptors using the island now and in the future so that appropriate benchmarks for dredged material can be identified.

The USFWS also verified ongoing coordination with the USACE and provided recommendations concerning the Poplar Island Expansion Study in a letter dated 25 April 2005 (Appendix F). Specifically, the USFWS provided modifications and concerns to the proposal presented by NMFS in January 2005.

The U.S. Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance (USFWS), responded to the Draft GRR/SEIS in a 5 August 2005 letter that included both general and specific comments, including discussions and recommendations on the open-water embayment included in the Draft GRR/SEIS. This letter was submitted in accordance with the Fish and Wildlife Coordination Act and the Endangered Species Act. The letter stated that further Section 7 coordination with the USFWS concerning the

---

federally-threatened bald eagle was not necessary if all construction activities occur outside of the ¼-mile nest buffer, as planned and stated in the Draft GRR/SEIS.

National Marine Fisheries Service (NMFS) – Coordination with NMFS occurred throughout the SEIS process concerning EFH, SAV, RTE species, fisheries surveys, the study scope, and the recommended alignment. NMFS was also a participant in the PDT meetings. Section 7 consultation was initiated with NMFS (Ms. Julie Crocker) on 6 January 2004 through a letter request. A response was received from NMFS on 22 January 2004, describing Federally listed threatened and endangered species in the project area (Appendix F). Mr. John Nichols (fisheries biologist) was consulted in early 2004, prior to the initiation of the aquatic field supplemental studies, for study recommendations and to approve the methodology and sampling locations. At the 19 November 2004 PDT meeting, Mr. Nichols shared his agency concerns about the proposed northern alignment and stated that his agency would submit a proposal to the USACE that NMFS supports.

A resource management meeting was held by the USACE on 15 December 2004 at the request of Mr. Nichols of NMFS to talk with Federal agencies about his concerns and to discuss the trading of open water for beneficial use wetlands creation and the NMFS proposal to create more attractive fish habitat at the site for Poplar Island Expansion Study (see details presented in Section 4.9). Also in attendance included representatives from NOAA (Mr. Dave Meyer and Mr. Stan Gorski), the agency that oversees NMFS. On 25 January 2005, Mr. Nichols then submitted a recommended design for the proposed northern lateral expansion to the USACE as a hand-drawn figure and text description (Appendix F). Mr. Nichols presented this design at the March 2005 BEWG meeting (Appendix F). Additional details regarding the NMFS proposal are detailed in Section 9.4.2.b.

Pursuant to Section 305 (b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act, the USACE prepared and submitted an EFH Assessment to NMFS for the proposed project in March 2005 and an updated EFH Assessment in July 2005 (Appendix D) to reflect changes to the recommended plan. In addition, the USACE also prepared and submitted a SNS Biological Assessment to NMFS on 27 April 2005 (Appendix E).

Mr. Nichols attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other small dredging projects. Mr. Nichols indicated that NMFS: 1) supported the recommendation for placement of material from the southern approach channels to the C&D Canal at PIERP following closure of Pooles Island, 2) supported the USFWS recommendation of re-designing the channel testing program to include elements to support beneficial use and island restoration; and 3) did not support placement of material from non-Federal dredging projects at Poplar Island.

Mr. Nichols also coordinated with the USACE in 22 April 2005 regarding the development of ICUs for fisheries resources related to a proposed 130-acre open-water embayment. The USACE modified the ICU model to incorporate Mr. Nichols updates on fish guilds and communities and new habitat types.



---

NMFS also verified ongoing coordination with the USACE and provided recommendations concerning the GRR/SEIS in a letter dated 19 May 2005 (Appendix F). Specifically, NMFS provided comments to the report as part of the NEPA process, additional information concerning the NMFS proposal of an open-water embayment, requirements for sand borrow and construction, recommendations to EFH conservation, and additional protected resource issues.

In a memorandum dated 8 August 2005, NMFS stated their strong support of the USACE decision to incorporate the open-water embayment into the recommended plan for the Poplar Island expansion and they provided preliminary concurrence with the EFH determination. Other outstanding issues, specifically details of the open-water embayment design, were discussed that will require ongoing coordination between NMFS and the USACE during the next design phase of the project (Appendix F).

Finally, in a letter dated 22 August 2005, NMFS concurred with the USACE that the proposed project is not likely to adversely affect any threatened or endangered species listed under the jurisdiction of NMFS and that no further consultation pursuant to Section 7 of the ESA is required (Appendix F).

U.S. Environmental Protection Agency – A resource management meeting was held by the USACE on 15 December 2004 to discuss the proposed northern alignment with various agencies including Mr. Jim McGoo and Mr. Bill Muir at USEPA. Mr. Muir and Mr. Russell also attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other small dredging projects. Mr. Muir indicated that USEPA: 1) supported the recommendation for placement of material from the southern approach channels to the C&D Canal at PIERP following closure of Pooles Island, 2) supported the USFWS recommendation of re-designing the channel testing program to include elements to support beneficial use and island restoration; and 3) did not support placement of material from non-Federal dredging projects at Poplar Island. USEPA did indicate that they would support placement of material from other Federal projects if the sediments were subjected to the same testing and analysis as the deep-draft channels, and if other local beneficial use projects were not available in the immediate vicinity of the maintenance projects.

In a letter dated 8 August 2005, the USEPA concurred that the expansion of the Poplar Island facility is needed and that their review of the Draft GRR/SEIS resulted in a rating of LO-1, Lack of Objections (LO), and Adequacy of the document (1) (Appendix F). The USEPA then provided comments and concerns associated with the Draft GRR/SEIS (Appendix F).

Maryland Department of the Environment (MDE) – Coordination with MDE has occurred to date throughout the SEIS process concerning water quality, wetlands, and coastal zone management. MDE has also been a participant in the PDT meetings. Agency correspondence has been ongoing since late 2004 and early 2005 with MDE (Mr. George Harman) concerning the Water Quality Certification and the Tidal Wetlands License for the project that will be issued to the MPA by MDE. Additional conversations have taken place with MDE (Mr. Elder

---

Ghigiarelli) to discuss the Coastal Zone Management Consistency Determination that would be granted by MDE.

Mr. George Harman, Mr. Mathew Rowe, and Mr. Charles Poukish from MDE attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other small dredging projects. MDE: 1) supported the recommendation for placement of material from the southern approach channels to the C&D Canal at PIERP following closure of Pooles Island, 2) supported the USFWS recommendation of re-designing the channel testing program to include elements to support beneficial use and island restoration; and 3) did not support placement of material from small dredging projects at Poplar Island due to the numerous issues, including the commitment of state resources to assess sediment quality data for potential projects. MDE also noted that they would like to review data for the northern approach channels to the C&D Canal and the Canal proper.

Coordination was conducted by phone with Mr. Harman on 28 July 2005 and he indicated that his agency did not have any comments on the Draft GRR/SEIS (Appendix F). In addition, Mr. Harman formally submitted a letter to the USACE dated 16 August 2005 that confirmed that MDE has formally stated that this document is “Generally Consistent with the regulatory programs at MDE” (Appendix F).

Maryland Department of Natural Resources (MDNR) – Coordination with MDNR has occurred throughout the SEIS process concerning SAV, Natural Heritage species, TOY restrictions, fisheries surveys, shellfish resources, the study scope, and the recommended alignment. The MDNR has been an active participant in the PDT and has regularly attended team meetings. The USACE coordinated with Mr. Roland Limpert in September 2004 on issues that involved the TOY restrictions for NOBs. Mr. Limpert indicated during PDT meetings and through email conversations that TOY oyster restrictions associated with the proposed lateral expansion would include dredging restrictions of 500 yards adjacent to an NOB. Specifically, TOY restrictions would include no hydraulic dredging within 500 yards of an NOB boundary during the period 1 June through 30 September of any year, and no mechanical dredging within 500 yards of an NOB boundary during the periods 16 December through 14 March and 1 June through 30 September of any year (Appendix C, Table C-3). Consultation was initiated with the MDNR for the project in December 2003, but no formal response was received. A second consultation letter was sent to MDNR in February 2005 that provided an update on project details and specifically requested information on the presence of listed species associated with the Maryland Natural Heritage Program.

Mr. Roland Limpert from MDNR attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other small dredging projects. MDE: 1) supported the recommendation for placement of material from the southern approach channels to the C&D Canal at PIERP following closure of Pooles Island, and 2) supported the USFWS recommendation of re-designing the channel testing program to include elements to support beneficial use and island restoration. DNR was not present for discussions regarding acceptance of material from other non-Federal dredging projects, but

---

noted that they had concerns regarding stimulation of dredging activities if Poplar was available for placement. DNR noted they concur with MDE and MGS on the issue.

The MDNR also provided the USACE recommendations concerning the Poplar Island Expansion Study in a letter dated 12 May 2005 (Appendix F). Specifically, the MDNR provided modifications and concerns related to the proposal presented by NMFS in January 2005 and at the 21 April PDT meeting. In this letter, MDNR requested further evaluation of the location of the proposed open-water embayment, the size of the embayment (as it relates to long-term maintenance and stability concerns), the development of additional bird nesting islands, and the fate of material eroded from the adjacent wetlands, and maintenance of the project (Appendix F).

In a letter dated 4 August 2005 the MDNR provided comments to the Draft GRR/SEIS and stated the Department's support of the inclusion of an open-water embayment in the recommended plan and the incorporation of avian nesting islands within the open-water embayment.

Finally, the MDNR provided a letter on 8 August 2005 regarding measures and general guidelines for the protection of the bald eagle nest on Coaches Island and for the protection of waterbird (herons and terns) colonies (Appendix F).

Maryland Geological Survey (MGS) - Mr. Jeff Halka from MGS was consulted during the study process regarding erosion rates for Poplar Island, Jefferson Island, and Coaches Island. In addition, Mr. Halka and Mr. Jim Hill from MGS attended the Sediment Quality Roundtable discussions on 17 March 2005 regarding acceptance of dredged material from the southern approach channels to the C&D Canal and acceptance of material from other non-Federal dredging projects. MGS: 1) supported the recommendation for placement of material from the southern approach channels to the C&D Canal at PIERP following closure of Pooles Island, 2) supported the USFWS recommendation of re-designing the channel testing program to include elements to support beneficial use and island restoration; and 3) did not support placement of material from small dredging projects at Poplar Island due to the numerous issues, including the commitment of state resources to assess sediment quality data for potential projects. MGS also commented that dredged material from the southern approach channels to the C&D Canal may be most appropriate for placement in the upland cells at Poplar Island because of the salinity differences between the dredging and placement areas. MGS also noted that they would like to review data for the northern approach channels to the C&D Canal and the Canal proper.

**9.4.2.b Incorporation of an Open-Water Embayment** NMFS proposed a variation (Figure 5-4) for the northern lateral alignment (Appendix F, agency coordination dated January 18, 2005) at a resource agency meeting with representatives from USEPA and NMFS on December 15, 2004. While the overall footprint of the northern lateral alignment would be the same, the NMFS proposal re-designated approximately 120 to 130 acres of wetland located on the western side of the lateral expansion as open-water embayment habitat bordered by salt marsh and mudflats and protected by segmented breakwaters (Figure 4-15). The inclusion of an open-water embayment within the footprint of the lateral expansion would

---

provide semi-protected fisheries habitat adjacent to wetland and upland cells created in the lateral expansion, and would increase the trophic interaction between the wetland cells and the open-water embayment habitat. The bottom habitat of the open-water area would remain essentially undisturbed, preserving the existing bathymetry and benthic habitat. The creation of small reefs would provide cover and enhance fish habitat within the open water area.

NMFS formally presented this optional embayment component to the BEWG for consideration during the March 8, 2005 meeting. The BEWG is the technical team that helped develop the ICU (see Section 4.8.1) to measure the environmental benefits of island restoration. Consequently, the BEWG was asked to evaluate the proposed embayment regarding habitat comparability for created wetlands and open-water embayment habitats. At the April 5, 2005 meeting, the BEWG endorsed further study of the concept of including an enhanced open-water embayment. Overall, there was general agreement that diversity of habitat types could be more beneficial than creating more of the same type of habitat currently under construction.

The USACE-Baltimore District received comments for the *Baltimore Harbor and Channels Dredged Material Management Plan and Tiered Environmental Impact Statement* (USACE, 2005) from resource agencies related to the Poplar Island expansion. Both USEPA and MDE expressed concerns about the loss of Chesapeake Bay bottom and open-water habitat from the construction of the PIERP expansion. Additional consultation with resource agencies regarding the concept of an enhanced open-water embayment within the footprint of the lateral expansion received general support from MDE, USEPA, USFWS, NOAA, and MDNR. USFWS proposed several modifications to the proposal submitted by NMFS, including reducing the size of the open-water embayment to between 80 and 90 acres and incorporation of 1-3 isolated nesting island for colonial waterbird nesting within the embayment (Appendix F, agency consultation dated April 25, 2005). Additional concerns raised by USFWS included the potential for an open-water embayment to become a magnet for recreational fishermen (and the resulting influence of public access on nesting behavior) and the need for additional study of the water circulation, storm protection, and sediment deposition within the embayment. MDNR also requested further evaluation of proposed design elements associated with the enhanced open-water embayment, including the location of the proposed embayment, the size of the embayment, the development of additional bird nesting islands, and the fate of material eroded from the adjacent wetlands (Appendix F, agency coordination dated May 12, 2005). Various meetings with the resource agencies, including NMFS and the USACE, to discuss the components of the embayment followed, including the development of ICUs for fisheries resources related the proposed open-water embayment. The USACE then modified the ICU model to incorporate NMFS' request on updates to fish guilds and communities and new habitat types.

In a letter dated 19 May 2005 (Appendix F) NMFS also provided recommendations concerning the Draft GRR/SEIS that specifically discussed the consideration of a modified alternative that includes an open-water embayment. Finally, in a memorandum dated 8 August 2005, NMFS stated their strong support of the USACE decision to incorporate the open-water embayment into the recommended plan for the Poplar Island expansion and they provided preliminary concurrence with the EFH determination. Other outstanding issues,

---

specifically details of the open-water embayment design, were discussed that require ongoing coordination between NMFS and the USACE (Appendix F). In addition to NMFS, MDNR and USFWS also provided comments on the Draft GRR/SEIS that specifically discussed concerns of the open-water embayment. In a letter dated 4 August 2005 the MDNR stated the Department's support of the inclusion of an open-water embayment in the recommended plan and the incorporation of avian nesting islands within the open-water embayment. In a letter dated 5 August 2005, the USFWS provided details to modify the open-water embayment proposed by NMFS to provide enhanced remote island habitat by bringing "fisheries into closer juxtaposition with wetland and upland habitats and that the open-water embayment should be considered enhanced habitat."

The details concerning the open-water embayment design, including the size of the embayment, the number of avian nesting islands, the size and number of submerged rock reefs, and the details of the breakwater will require ongoing coordination between the USACE, USEPA, NMFS, MDNR, USFWS, MDE, the MPA (the non-Federal sponsor) and other resource agencies, as appropriate.

**9.4.2.c State Historic Preservation Officer Coordination** To comply with Section 106 of the NHPA, Phase I cultural resource investigations within the 1080-acre study area were conducted to identify potential cultural resources and Phase II investigations were conducted in the study area. During the Phase I and Phase II cultural resource remote sensing surveys, numerous magnetic and acoustic anomalies were recorded. A total of six targets (Targets #8, #13, #25, #28, #29, and #30) were identified (Figure 3-28) with characteristics consistent with submerged watercraft or other possible cultural resources. The six target locations were recommended for avoidance, and further survey was warranted if avoidance was not feasible (RCG&A, 2004; 2005). Following identification of the six targets during Phase I surveys, USACE-Baltimore District redefined the lateral expansion footprint to avoid four of the six target avoidance areas. The remaining two targets (Targets #13 and #29) were considered too close to the revised project boundaries, and Phase II investigations of those two particular sites were conducted.

Both the Phase I and Phase II reports and results of the cultural resource remote sensing surveys conducted within the Study Area were submitted to the SHPO on 7 June 2005 (Appendix F). SHPO coordination for this project continued into July 2005, when additional correspondence occurred on 26 July 2005. The USACE sent SHPO an updated letter discussing that the project was redesigned to avoid submerged Targets #25 and #30 and that the two targets remaining in the project area (Targets #8 and #28) will be marked with buoys and avoided with a buffer of 300-ft radius. The USACE proposed a no-effect determination. A response from SHPO with a no-effect concurrence was received on July 29, 2005.

## 9.5 OFFICIAL LETTERS OF SUPPORT

Official support for the project was received from the MPA (the non-Federal sponsor for the project) in a letter dated 10 June 2005 that stated the MPA's concurrence with the USACE for the Poplar Island Expansion Project and their plan to continue financial contributions to the project (Appendix F). The MPA also stated that they encouraged the USACE to perform full

---

value engineering exercises for the project to provide additional justification for the appropriation of funds to continue support of the project.

A letter of support was also received on 26 July 2005 from the Honorable Paul S. Sarbanes that stated his support of the Poplar Island Expansion Study project and the dredging needs of the Port of Baltimore (Appendix G). The letter also stated the importance of dredging to the State of Maryland, including the shipping industry.

A third letter of support was received on 2 August 2005 from Delegate Adeline Eckardt, who took the opportunity to “commend the Army Corps of Engineers on the success of the Poplar Island Restoration” and stated that “I support this project and the ongoing dredging needs of The Port of Baltimore” (Appendix G).

## **9.6 OTHER COMMUNICATION ACTIVITIES**

### **9.6.1 Informing the Public**

The USACE and MPA informed local citizens, county government, and watermen of the project and solicited their opinions through a variety of means, including public meetings; special interest group meetings; bi-monthly BEWG and CAC meetings; monthly Newsletter updates; information on the USACE Website, advertisement of public participation in local newspapers including *The Baltimore Sun* (Baltimore), *The Capital* (Annapolis), the *Star Democrat* (Easton), the *Record Observer* (Talbot County), the *Maryland Watermen’s Gazette* (State of Maryland); and placing fliers in local businesses. A program about PIERP was aired on Maryland Public Television on 30 November 2004 (see details in Section 9.7 below).

The adjacent Jefferson and Coaches Islands are privately owned by two separate individuals. The MPA coordinated with the private landowners of the adjacent Jefferson Island and Coaches Island concerning the proposed lateral expansion. The landowners of both islands received the *Study Information and Coordination Notice* (Appendix F) and were notified of public meetings. The landowner of Jefferson Island attended the public meetings and responded to the Draft GRR/SEIS with formal comments that are included in Appendix J.

### **9.6.2 Providing Tours of the Island**

The USACE and the MPA have provided tours of PIERP to the public and other interested parties. In 2003, there were 68 educational tours of PIERP given to interested groups and individuals from around the world. In 2004, the partnership offered 88 general tours (totaling 1,277 people) and 19 student programs (totaling 385 people). Interest in the project is expected to continue for the PIERP. Several birdwatching associations have also made trips to PIERP in the past 2 years and more are planned. As of October 2004, at least 10 groups of birders, for a total of about 150 people, had taken trips to the island for the primary purpose of birdwatching. Two more birding trips with a total of 50 people are already planned for early 2005.

---

## 9.7 PRESS COVERAGE

- The *Star Democrat* published a front-page article on 11 October 2004 following the 6 October public meeting at Tilghman Island Elementary School titled *Watermen Question Plan to Expand Poplar Island, Army Corps of Engineers Considering Plan to Enlarge Island by 50 percent*, by Sarah Ensor, Staff Writer (Appendix G)
- Maryland Public Television aired a special on 30 November 2004 at 7:30 pm titled *Poplar Island - An Island Reborn*.
- *Chesapeake Life*, a local magazine, published an article titled *Island Rising* by Bill Thompson and photographs by Robert Noonan in April 2005 that discussed historical Poplar Island and the current restoration of the PIERP (Appendix G).
- *Bay Weekly*, a local magazine, published an article titled *Rising from the Bay* by Helena Mann-Melnitchenko and Katherine Mann in Volume 13, Issue 32, August 11 - 17, 2005 that discussed the history of Poplar Island, the restoration of Poplar Island, the volunteer opportunities associated with the restoration, and the potential expansion of Poplar Island. In addition, an editorial titled *Poplar Rises: A Remedy for Vanishing Islands* was also published in the same volume that discussed the proposed expansion of Poplar Island (Appendix G).