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**Sent:** Monday, January 03, 2011 3:39 PM  
**To:** 'Anderson, Kathy NAB02'; 'Francis, Woody NAB02'  
**Cc:** Burkman, Jim; Gibson, Gregory T; Massie, Wayne A; Quinn, Laura  
**Subject:** NMFS Concurrence on Tidal Mitigation Strategy  
**Attachments:** E-Mail 12-22-10 NMFS Approval of Mtg Minutes.pdf; Nichols Meeting 12-15-2010 rev3.pdf

At the request of USACE a meeting was held on 12/15/10 between UNE and National Marine Fisheries Service (NMFS) to identify the mitigation strategy for tidal impacts. NMFS was identified by USACE as the resource agency, subject matter experts, for USACE on tidal issues. The attached e-mail shows NMFS concurrence/approval of the December 15, 2010 meeting minutes (second attachment). These meeting minutes discretely specify the tidal mitigation that is recommended to be implemented for the CC3 project. Specifically, NMFS is seeking 4.5 acres (1:1 mitigation ratio) of sand/coarse substrate habitat in an oyster reef area to provide forage for fish with a 5 year monitoring plan and corrective actions as needed to ensure that the site met the tidal mitigation goals. NMFS agreed that a description of a mitigation concept and outline of steps to finalize the design and implement the project would satisfy the current needs of the permitting process.

Regards,

*Dimitri Lutchenkov*

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