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**From:** Ted.Matley@dot.gov  
**To:** Miyamoto, Faith  
**CC:** Raymond.Sukys@dot.gov  
**Sent:** 4/23/2009 7:51:12 AM  
**Subject:** Concerns from Army Corps

Hi Faith, the Army Corps is really concerned that adequate information is not in the DEIS and may not be in the FEIS. We will need to discuss as we go over responding to comments and how they can be provided with more information.

Ted

*The Draft EIS lacked any sort of quantification of impacts to the aquatic environment, making it impossible to provide meaningful comments on the Draft EIS and to understand the scope and magnitude of impacts, which as you know influence the permitting strategy, selection of the least environmentally damaging practicable alternative (LEDPA), and compensatory mitigation needs of the project. Regarding the latter, it was reported that the FTA ROD would be issued sometime around fall 2009, but that the Final EIS likely will not contain a detailed mitigation plan for aquatic resource impacts. Without adequate information pertaining to waters of the United States, we are uncertain as to how the ROD would address compensatory mitigation for unavoidable impacts and how the applicant (DTS) proposes to submit a complete DA permit application.*

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