

January 30, 2001

Colonel Allan B. Carroll
U.S. Army Corps of Engineers
Norfolk District
803 Front Street
Norfolk, Virginia 23510-1096

Attn: Cynthia Wood
Regulatory Branch

Re: Creswell Community Pier, Project No.
00-V0974, Northampton County,
Virginia

Dear Colonel Carroll:

This letter acknowledges the U.S. Fish and Wildlife Service's January 2, 2001 receipt of your December 21, 2000 letter requesting initiation of formal section 7 consultation under the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) on the above referenced permit application. The consultation concerns the possible effects of a proposed community pier along Gunston Cove on the bald eagle, *Haliaeetus leucocephalus*. All information required of you to initiate consultation was either included with your letter or is otherwise accessible for our consideration and reference.

Section 7 allows the Service up to 90 calendar days to conclude formal consultation with your agency and an additional 45 calendar days to prepare our biological opinion (unless we mutually agree to an extension). Therefore, we expect to provide you with our biological opinion no later than May 17, 2001.

As a reminder, the ESA requires that after initiation of formal consultation, the federal action agency may not make any irreversible or irretrievable commitment of resources that limits future options. This practice insures agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitats.

If you have any questions about this consultation or the consultation process in general, please contact Mr. Eric Davis of this office at (804) 693-6694, extension 104.

Sincerely,

Karen L. Mayne
Supervisor
Virginia Field Office

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bcc: VDCR, DNH (Rene' Hypes)
VDGIF (Ray Fernald)