



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

November 11, 2003

Tim Channon, Acting District Ranger
U.S. Department of Agriculture
Chugach National Forest
Seward Ranger District
P.O. Box 390
Seward, Alaska 99664

Re: Snow River Private Road Access

Attention: Karen O'Leary

Dear Mr. Channon:

The National Marine Fisheries Service (NOAA Fisheries) has reviewed the above referenced "Opportunity to Comment" from the U.S. Forest Service (USFS) on a proposal to clear vegetation to create an access road/trail approximately 10 feet wide and one mile long. The route would allow access to approximately 160 acres of private land. This proposal is a modification of the original application made in 2000. The applicant originally applied for a special use permit for a developed road including bridges. Water crossings of side channels on the Snow River would be necessary.

The Snow River is listed as an anadromous stream (Alaska Department of Fish and Game Anadromous Stream Catalog) and provides for the migration, spawning, rearing, and/or overwintering of chinook salmon (*Onchorynchus tshawytscha*), sockeye salmon (*Onchorynchus nerka*), and coho salmon (*Onchorynchus kisutch*). The proposed access road would cross side channels of the Snow River just upstream from where it enters Kenai Lake, a highly productive habitat for anadromous fish and part of the Kenai River Special Management Area. No bridges or culverts are currently proposed as part of the project. As currently proposed, the route would traverse areas where it would be submerged. Motorized vehicle access along the banks will result in degradation of the stream bank and subsequent erosion. Thus, the proposed project would have an adverse impact on anadromous fish resources, including Essential Fish Habitat (EFH).

Section 305(b) of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act) requires Federal agencies to consult with NOAA Fisheries on all actions that may adversely affect EFH. NOAA Fisheries is required to make conservation recommendations which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. NOAA Fisheries recognizes that while the Alaska National Interest Lands Conservation Act (ANILCA) and USFS policy assures landowners of inholdings adequate and feasible access to their property, the applicant is required to obtain approvals and permits from other state and



federal regulatory agencies prior to the USFS issuing a special use permit. Accordingly, we offer the following conservation recommendations pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act.

- (1) Timing windows to limit vehicular access during critical spawning and rearing time frames should be developed in coordination with the Kenai Peninsula Borough and Alaska Department of Fish and Game.

Rationale: Limiting access of certain types of motorized vehicles during specific time frames will minimize impacts to rearing salmon and EFH.

- (2) Areas of direct disturbance should be limited to as small an area as possible. If disturbance should occur outside the permitted area, either through project construction or subsequent trail use, appropriate remediation such as revegetation with native species should be required.

Rationale: Minimizing the footprint of the proposed project will decrease direct and indirect impacts to EFH

- (3) Slopes along the access route should be stabilized using bio-vegetation techniques such as, but not limited to hedge/brush layering, geo-grid matting, or layering with other broad leaf species.

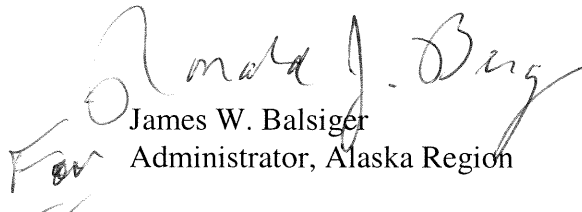
Rationale: Terraces covered with a native species vegetation mat reduce erosion and sedimentation and subsequent destruction of salmon habitat.

- (4) Appropriate sediment and erosion control techniques should be employed and maintained at the worksite. In addition, work occurring in wetland areas should maintain existing circulation and drainage patterns while preventing sedimentation.

Rationale: Sedimentation associated with erosion can smother spawning gravels and destroy rearing habitat for salmonids. Contiguous surrounding wetlands serve to filter runoff and trap sediments before reaching the main stream channel.

NOAA Fisheries hopes this information is useful to the USFS in fulfilling the coordination and consultation requirements of the Magnuson-Stevens Act as outlined in 50 CFR 600.905-930. Brian Lance (907) 271-1301 is the NOAA Fisheries contact for this project.

Sincerely,


James W. Balsiger
Administrator, Alaska Region

cc: USFWS, EPA, ADGC, ADFG, ADNR/OHMP, ADEC - Anchorage

Kenai Peninsula Borough
145 N. Binkley
Soldotna, Alaska 99669

Applicant: Mr. James Scott
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