



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

October 12, 2004

Forrest Cole
Forest Supervisor
U.S. Department of Agriculture
Alaska Region, Tongass National Forest
648 Mission Street
Ketchikan, Alaska 99901

Re: Scoping Comments
Angoon Hydroelectric Project

Dear Mr. Cole:

The National Marine Fisheries Service (NMFS) has reviewed the information provided on the proposed Angoon Hydroelectric Project. The Forest Service will develop an environmental impact statement (EIS) at the request of Kootznoowoo, Inc. The proposed action includes development of a 1,000-kilowatt hydroelectric power facility on Thayer Creek, about six miles north of Angoon. The project area is within the Admiralty Island National Monument's Kootznoowoo Wilderness, a roadless area. All project facilities, except an underwater transmission line and its terminus are located on National Forest System land on Admiralty Island.

Proposed developments associated with the hydroelectric power facility include the following: the construction of port facilities located 1.8 miles south of the outlet of Thayer Creek; a diversion dam on Thayer Creek; an intake structure at the diversion dam; a pipeline from the intake structure to the powerhouse; a penstock from the pipeline to the powerhouse; a surge tanks near the junction of the pipeline and the penstock; construction of a powerhouse; construction of three access roads totaling approximately 7.5 miles; and construction of a transmission line and one submarine crossing.

The National Marine Fisheries Service (NMFS) considered the scoping information sent to us and offers these scoping comments for your consideration.

Essential Fish Habitat (EFH) Consultation Process

The EIS for the project must address the EFH requirements of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). Section 305 (b) of the MSFCMA requires Federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). For any action that may adversely affect EFH, Federal agencies must provide NMFS with a written assessment of the effects of that action on EFH. The EFH Assessment can be contained within the EIS. The EFH Assessment must contain:

1. A description of the proposed action.
2. An analysis of the potential adverse effects of the action on EFH and the managed species.



3. The Federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

If appropriate the assessment should also include:

- a) The results of an on-site inspection to evaluate the habitat and the site-specific effects of the project.
- b) The views of recognized experts on the habitat or species that may be affected.
- c) A review of pertinent literature and related information.
- d) An analysis of alternatives to the action, including alternatives that could avoid or minimize adverse effects on EFH.
- e) Other relevant information.

Under Section 305(b)(4) of the MSFCMA, NMFS is required to provide EFH Conservation Recommendations to Federal agencies for actions that would adversely affect EFH. EFH Conservation Recommendations will be provided as part of the EFH consultation initiated upon receipt of the EFH Assessment. These recommendations may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. Section 305(b)(4)(B) requires a Federal Agency to provide a detailed response in writing to NMFS which includes the measures proposed for avoiding, mitigating, or offsetting the impact of the activity on EFH habitat.

Federally Managed Species

For information on federally managed species and EFH, NMFS directs you to the following web sites:

<http://www.fakr.noaa.gov/habitat/efh.htm> , <http://www.fakr.noaa.gov/maps/default.htm> , and <http://www.fakr.noaa.gov/efh/download/efhshp.htm> .

Anadromous Fish

Thayer Creek is an Alaska Department of Fish and Game catalogued anadromous fish stream number 112-17-10500. The scoping information indicates that the lower section of this stream supports anadromous runs of pink, chum and coho salmon, and the upper section supports cutthroat trout.

Groundfish

Groundfish species with EFH in the near shore area of the port facilities area include: Pacific cod, Pacific Ocean perch, walleye pollock, dusky rockfish, shortraker/ rougheyeye rockfish, yelloweye rockfish, sablefish, sculpin, skate, flathead sole, and rex sole. Other rockfish expected to be in the project area include: black rockfish, quillback rockfish, copper rockfish and yellowtail rockfish.

Timing Restrictions

In the Angoon area, timing restrictions are generally applied to restrict any in-water work in salt water from March 15 through June 15 to protect spawning herring and migrating juvenile salmon. In-water work in freshwater streams with anadromous fish generally has timing restrictions that provide protection from sedimentation and stream disturbance when adult fish and their eggs, alevins and smolt are in the stream.

Habitat Investigations

NMFS recommends that information on the fish habitat below and above the proposed diversion dam be included in the EIS including habitat information on Thayer Lake and its tributaries. This information will be useful in assessing the feasibility of fish enhancement projects that could be done in conjunction with the hydroelectric project.

Wetlands Mitigation

The Clean Water Act 404 (B)(1) guidelines direct agencies first to avoid impacting wetlands, second to minimize any impacts to wetlands and last to compensate for unavoidable adverse impacts. Compensatory mitigation for unavoidable wetland impacts may be appropriate for this action and should be addressed in the EIS. We recommend that you coordinate mitigation plans with NMFS and other resource agencies. Compensatory mitigation could include providing for fish passage in Thayer Creek.

Proposed Protection and Enhancement Measures

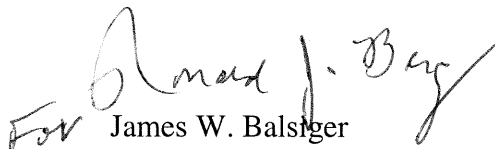
Enhancement measures for Thayer Creek should be investigated in the EIS. Such measures may include, but are not limited to, design of a fish passage structure(s) in Thayer Creek and stocking of anadromous fish (sockeye and/or coho salmon) in Thayer Lake. Fish passage enhancement of this type may not normally be considered in the wilderness, however the construction of the hydroelectric plant and infrastructure (road access) provides a unique opportunity. The location of Thayer Creek, only six miles from Angoon, a Native community with a high demand for subsistence fish and several lodges that cater to the sport fisherman, accentuates this opportunity. Lastly the amount of habitat above the barrier appears extensive.

Threatened and Endangered Species/ Marine Mammals

The Marine Mammal Protection Act (MMPA) and the Endangered Species Act prohibit the injury, harm or harassment of marine mammals. The project is within the range of endangered humpback whales and threatened Steller sea lions, as well as harbor porpoises, harbor seals and killer whales, which are protected under the MMPA. Noise from in-water construction activities or from operational procedures can negatively impact marine mammals. These potential impacts to marine mammals should be analyzed in the EIS. Precautions may need to be implemented to prevent injury, harm or harassment of marine mammals.

If you have any questions regarding our comments please contact Cindy Hartmann at (907)586-7585 or at cindy.hartmann@noaa.gov.

Sincerely,


James W. Balsiger
Administrator, Alaska Region

cc: Susan Marthaller, Admiralty National Monument, Juneau

Don Martin and Ron Dunlap, Regional Office, Forest Service, Juneau
Chris Meade, EPA Juneau
Janet Schempf, ADF&G
Richard Enriquez, USFWS, Juneau
ADNR-OHMP, Juneau
ADNR-OPMP, Juneau
Kootznoowoo, Inc.
City of Angoon
Angoon Community Association
Kaja Brix, NMFS AKR PR