



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

September 20, 2004

Colonel Timothy J. Gallagher  
U.S. Army Corps of Engineers  
P.O. Box 898  
Anchorage, AK 99506-0898

Re: Final Review and Signature of Sealaska  
Corporation's Southeast Alaska Regional  
Mitigation Banking Agreement

Attn: Steve Duncan

Dear Col. Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the final regional mitigation banking agreement prepared by Sealaska Corporation, the Army Corps of Engineers and the Mitigation Banking Review Team (MBRT). NMFS supports the concept of mitigation banking to make alternative mitigation options available to compensate for unavoidable impacts to wetlands.

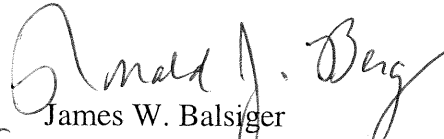

NMFS and the other MBRT members have dedicated substantial time and effort into developing a mitigation banking agreement that is acceptable to all of the MBRT members and we are pleased to see this effort finalized. NMFS has made and initialed two changes in the document that required modification by all signatories: Section XIV. C Modification, changes the words "seek consensus" to "obtain consensus." The method for establishing, using, and/or modifying a mitigation bank is spelled out in the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (FR Volume 60, Number 228, Page 58605-58614) as a consensus process. This minor change in the document will ensure that this mitigation banking instrument complies with the Federal Guidance on that point. NMFS has also indicated that the words "a one-on the date on the phone" under Section II. n., which appear to be a typographical error, are struck from the document.

NMFS looks forward to reviewing Sealaska's site specific banking instruments as they are developed under the guidance of this umbrella mitigation banking agreement. We will participate as an active member of the MBRT in reviewing and seeking consensus on the banking instruments and final plans for the restoration, creation, enhancement and/or preservation of wetlands and other aquatic resources.



Please contact Susan Walker ([susan.walker@noaa.gov](mailto:susan.walker@noaa.gov) or 907-586-7646) with any questions regarding the Sealaska mitigation banking proposal.

Sincerely,

  
For  James W. Balsiger  
Administrator, Alaska Region

cc.: Ron Wolfe, Sealaska Corp, One Sealaska Plaza, Suite 400, Juneau, AK 99801-1276  
Carl Schrader, ADNR, Juneau  
Ben Kirkpatrick, ADFG, Haines  
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Jim Powell, ADEC, Juneau  
Bruce Halstead, USFWS, Juneau  
Chris Meade, EPA, Juneau