



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

September 10, 2004

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

Re: SPN- 2004-09

Attn: Janice Stuart

Dear Col. Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the Special Public Notice on the Proposed Issuance of an Alternative Permit Processing Procedure (APP) for transportation projects funded fully or partially by the Federal Highway Administration (FHWA), and which are categorically excluded (CE) from National Environmental Policy Act documentation. These projects would be designed, permitted and constructed by the Alaska Department of Transportation and Public Facilities (ADOT&PF).

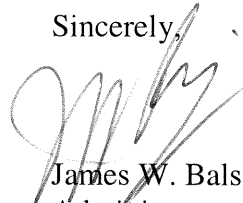
Section 1309 of the Transportation Equity Act for the 21st Century (TEA-21) requires a coordinated environmental review process to expedite federal highway and other transportation projects. The Corps of Engineers (Corps) and other federal and state agencies are developing streamlined environmental review processes in accordance with TEA-21 and other relevant environmental statutes. The APP is one tool being developed to streamline the environmental review process for FHWA projects, thereby reducing evaluation time while increasing the predictability of decision-making on CE transportation projects.

NMFS supports the concept of the APP. As we have discussed with the Corps, FHWA and ADOT&PF, the use of the APP is an appropriate vehicle to implement a General Concurrence (GC) and avoid the need for project-by-project Essential Fish Habitat (EFH) consultations for these minor transportation projects. NMFS intends to develop a GC for the APP in concert with the Corps, FHWA, and ADOT&PF which will identify conservation measures for each specific project activity type in advance. This will insure that the actions covered will be similar in nature and similar in their impact on EFH; not cause greater than minimal adverse effects on EFH when implemented individually; and not cause greater than minimal cumulative adverse effects on EFH. In addition, we understand that the APP will enable actions that qualify for a CE to be tracked as required by the GC process.



We look forward to our continued coordination with you on this effort. Should you have additional questions, please contact Ms. Jeanne Hanson at 271-5006.

Sincerely,



James W. Balsiger
Administrator, Alaska Region

cc: Bill Ballard, ADOT&PF Statewide Environmental Coordinator, Statewide Design and Engineering Services, 3132 Channel Drive, Juneau AK 99801-7898
Tim Haugh, Environmental and Right of Way Programs Manager, FHWA Alaska Division, P.O. Box 21648, Juneau AK 99802
Lenny Corin, USFWS Regional Office, 1011 East Tudor Road, MS 331, Anchorage AK 99503-6199
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