



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

August 17, 2005

Ms. Serena Sweet
Regulatory Specialist
U.S. Army Corps of Engineers
P.O. Box 898
Anchorage, Alaska 99506-0898

Re: POA-1959-21-9, Reliance Harbor; POA-1979-169-9, Shoemaker Bay; POA-2005-1334-9, Inner Harbor; POA-2005-1335-9, Standard Oil Float; and POA-2005-1336-9, Fish and Game Float

Dear Ms. Sweet:

The National Marine Fisheries Service (NMFS) reviewed the above referenced proposals by the City of Wrangell to repair and renovate the float systems in five harbors located in Wrangell; including Reliance Harbor, Shoemaker Bay, Inner Harbor, Standard Oil Float, and Fish and Game Float. New gangway floats will be installed at each harbor. Other work consists of repairing or replacing damaged or deteriorated floats and pilings, upgrading some of the stall floats with wider floats, and installing portable water systems and safety equipment. Timber used in new float systems will be pressure treated in accordance with the American Wood Preserver's Association Standard U1-05, Use Category UC5A. All piling used will be steel.

We offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

Essential Fish Habitat

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act requires Federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make conservation recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects.

Significant anadromous fish streams occur in the Wrangell area, including the Stikine River, Crittenden Creek and Mill Creek/Virginia Lake. Salmon fry and herring use nearshore areas, near the City of Wrangell, in the spring and summer. Near shore habitats are particularly important to juvenile salmon migrating as fry or smolts from fresh water to salt water. Juvenile salmon use near shore habitats for feeding and predator avoidance prior to migration out to sea. Additionally, the inshore area of the project location provides habitat for several marine species including Pacific cod, arrowtooth flounder, walleye pollock, dusky rockfish, shortraker/rougheye rockfish, yelloweye rockfish, Pacific Ocean Perch, skates, and sculpins.



Accordingly, we offer the following EFH Conservation Recommendations pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act.

1. Pile-driving can disrupt migration and cause physical damage to fish. To the extent possible, drive piles during low tide periods in intertidal and shallow subtidal areas to prevent injuries to fish. We recommend use of a vibratory hammer to drive the steel piles and only using an impact hammer to proof each piling at bearing depth. Under those conditions where impact hammers are required for reasons of seismic stability or substrate type, we recommend that the piles be driven as deep as possible with a vibratory hammer prior to the use of the impact hammer. If peak sound pressure levels from deepwater pile driving exceed the 180 dB re μ Pa threshold for injury to fish or are anticipated to exceed acceptable limits implement appropriate mitigation measures when practicable. Measures to reduce sound pressure include: surrounding the pile with an air bubble curtain system or air-filled coffer dam; using a smaller hammer to reduce the sound pressure (because the sound produced has a direct relationship to the force used to drive the pile); or using a hydraulic hammer if impact driving cannot be avoided. The force of the hammer blow can be controlled with hydraulic hammers; reducing the impact force will reduce the intensity of the resulting sound.
2. NMFS supports the use of wood pressure treated in accordance with the American Wood Preserver's Association Standard U1-05, Use Category UC5A. All cutting and boring of treated wood should take place in upland areas; all waste materials must be kept out of the aquatic environment and be properly disposed of upland. Any cut wood, chips or sawdust from treated wood that enters the aquatic environment should be collected promptly and disposed of at an acceptable upland site.
3. Removed creosote pilings should be disposed of in an approved upland site.
4. All work below the high tide line should be limited to low tidal stages to reduce turbidity.
5. No in-water work should be permitted from March 15 through June 15 of any year to protect out migrating salmon and spawning herring.

Under section 305(b)(4) of the Magnuson-Stevens Act, the Corps is required to respond to NMFS EFH recommendations in writing within 30 days. If the Corps will not make a decision within 30 days of receiving NMFS EFH Conservation Recommendations, the Corps should provide NMFS with a letter within 30 days to that effect, and indicate when a full response will be provided.

Threatened and Endangered Species/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 Marine

Mammal Protection Act. This Act and the Endangered Species Act prohibit the injury, harm or harassment of marine mammals.

Pile driving introduces high levels of noise into the water column, with the potential to harass or injure marine mammals. Received sound levels in the range of 130-135 decibels have been measured up to one kilometer from a pile driver (Johnson et. al., 1986). Humpback whales, killer whales, Steller sea lions, harbor seals, and harbor porpoises may occur in the project area and could be affected by this work. To reduce the possibility for harassment or injury to marine mammals, NMFS recommends that pile driving not occur if any marine mammals are observed within 200 meters of the platform. The operator must scan the area for the presence of marine mammals. If marine mammals are sighted within 200 meters of the sound source pile driving must cease until the animals leave the immediate area.

If you have any questions regarding our comments and conservation recommendations for this project, please contact Cindy Hartmann (907-586-7585, cindy.hartmann@noaa.gov).

Sincerely,



Sue Salveson
Acting Administrator, Alaska Region

cc: City of Wrangell
*Ed Grossman, USFWS, Juneau
*Chris Meade, EPA, Juneau
* Jim Cariello, ADNR-OHMP, Petersburg
*Tom Schumacher, ADF&G, Juneau
*Kaja Brix, NMFS, Protected Resources Division, Juneau
* Brad Smith, NMFS, Protected Resources Division, Anchorage
*Bruce Hoffman, ADNR, Juneau

*e-mail

References:

Johnson, S.R., C.R. Greene, R.A. Davis, and W.J. Richardson. 1986. Bowhead whales and underwater noise near the Sandpiper Island drillsite, Alaskan Beaufort Sea, autumn 1985, Reprinted by LGL Limited Environmental Research Associates, King City, Ontario, and Greeneridge Sciences, Inc., Santa Barbara, CA, for Shell Western Exploration & Production Inc., Anchorage, AK. 130p.