



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

February 10, 2005

Colonel Timothy J. Gallagher  
District Engineer  
U.S. Army Corps of Engineers  
Anchorage, Alaska 99506-0898

Re: POA-1986-182-7  
Frederick Sound

Attn: Mr. Steve Duncan

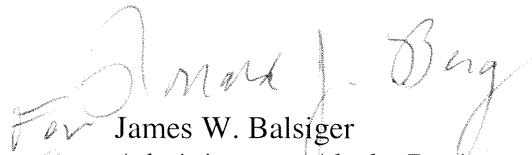
Dear Colonel Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the January 13, 2005, public notice of application for permit for the above proposal by the City of Petersburg to excavate approximately 5,500 cubic yards of organic and unclassified soils from an area of approximately 0.47 acre and discharge approximately 2,600 cubic yards of clean shot rock and other clean rock into approximately 0.37 acre of muskeg wetland, to construct a sedimentation building and access. The purpose is to upgrade and expand capacity of an existing municipal water treatment plant. We offer the following comments specific to the essential fish habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act.

Section 305(b) of the Magnuson-Stevens Act requires Federal agencies to consult with NMFS on all actions that may adversely affect EFH. NMFS is required to make conservation recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. From the information provided in the public notice the described action will not likely result in any adverse effect to EFH. Therefore no EFH assessment is required and NMFS does not offer any EFH conservation recommendations. Additional information on EFH is available on our website at <http://www.fakr.noaa.gov/habitat/efh/htm>.

Please contact Cindy Hartmann at 907-586-7585 if you have any questions or for further coordination.

Sincerely,

  
James W. Balsiger  
Administrator, Alaska Region

cc: City of Petersburg, P.O. Box 329, Petersburg, AK 99833  
ADNR, Petersburg, Jim Cariello  
USFWS, Juneau, Ed Grossman  
EPA, Juneau, Chris Meade  
ADEC, AADGC, Juneau

