



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

July 5, 2005

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

Re: Leask Cove/George Inlet

Attn: Shannon Hanson

Dear Colonel Gallagher

The National Marine Fisheries Service (NMFS) has reviewed the above referenced permit application from the Alaska Mental Health Trust for the construction of a log transfer facility and a log raft storage area in Leask Cove.

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, and mitigate or otherwise offset adverse effects. The project is located in Leask Cove near several Alaska Department of Fish and Game cataloged anadromous streams (Ketchikan Quad C-5 10320, 10300, 10270). These streams provide habitat for pink, coho and sockeye salmon. Juvenile salmon use the nearshore area of the project site for summer feeding and predator avoidance. The inshore area of the project also provides habitat for a number of marine species.

On June 24, 2005, NMFS staff visited the site to evaluate the habitat. As reported in the 2004 Pre-Discharge Survey Report, NMFS divers noted a band of eelgrass running the length of the project area. This eelgrass band varied between 1 to 6 meters in width and from a depth of 0 to 15 feet (at a -3.9 tide). Eelgrass density within this band was highly variable with an estimated maximum density of 25 plants per square meter. Eelgrass density increased toward the head of Leask Cove, northwest of the project site. Depth at the project site dropped quickly, and was likely the primary factor influencing the width of the eelgrass bed in that area. The eelgrass band was fairly continuous with only one break in the vicinity of the proposed barge bulkhead.

Eelgrass is considered a special aquatic site under the Clean Water Act section 404(b)(1) guidelines. It provides habitat for a large number of marine species as well as providing important feeding and cover for juvenile salmon. The project will result in the removal of the eelgrass within the vicinity of the drive down ramp. Eelgrass elsewhere within the project site may also be affected by log transfer operations.



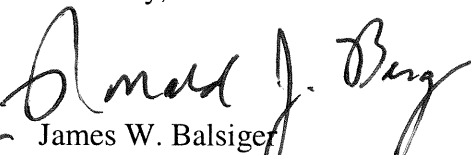

In accordance with Section 305(b) of the Magnuson-Stevens Act, NMFS offers the following EFH conservation recommendations:

- 1) The permit should include a condition requiring compensatory mitigation for impacts to the eelgrass in the project area. The applicant should work with NMFS to develop a mitigation plan. One mitigation option that has been informally discussed between NMFS and the applicant is to transplant the eelgrass to another site and provide public education on the value of eelgrass habitats. Other mitigation options could also be considered. Mitigation should be initiated before construction begins.
- 2) The applicant should not use any wood that has been surface or pressure-treated with creosote or treated with pentachlorophenol. Creosote contains numerous constituents that are toxic to aquatic organisms including polycyclic aromatic hydrocarbons (PAHs), phenolic compounds, and nitrogen- sulfur- or oxygenated heterocyclics (Poston, 2001). Leaching of these constituents continues throughout the life of the wood and has been associated with the development of tumors, immune system suppression, decreased fecundity and abnormal embryonic development. Pentachlorophenol has high chronic toxicity to aquatic life.
- 3) Alternatives to treated wood that have no or reduced toxicity should be used wherever practicable.
- 4) If treated wood must be used, any wood that comes in contact with marine or aquatic environments should be treated with preservatives approved for use in aquatic and/or marine environments.
- 5) All work below the high tide line should be limited to low tidal stages to reduce turbidity.
- 6) No in-water work for construction of the drive down ramp or other marine structures should be permitted from April 1 through June 15 of any year to protect out migrating salmon.

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.

Please contact Katharine Miller (907) 586-7643 if you have any questions.

Sincerely,

  
For  James W. Balsiger  
Administrator, Alaska Region