



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

March 17, 2006

Amy McLeod  
Project Environmental Coordinator  
Preliminary Design and Environmental  
Southeast Region  
Alaska Dept of Transportation & Public Facilities  
6860 Glacier Highway  
Juneau, Alaska 99801-7999

Re: Pelican Ferry Terminal Improvements, Federal # SHAK-0003(89), State Project No. 68731

Subject: Project Scope Modification

Dear Ms. McLeod:

The National Marine Fisheries Service (NMFS) has reviewed your request for comments regarding the referenced modification for a previously permitted project (by Nationwide Permit 23, POA-1979-182-D). The modification would replace two dolphins with two three-pile dolphins, install a three-pile dolphin instead of the previously authorized five-pile dolphin, and no longer add concrete panels to the lower ramp, which has been temporarily repaired with a treated timber deck.

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires NMFS to provide conservation recommendations to state and federal agencies on all actions, or proposed actions, authorized, funded, or undertaken by the agency, that would adversely affect essential fish habitat. NMFS also has jurisdiction for marine mammals under the Marine Mammal Protection Act. Your letter indicates that the following measures will be taken to protect marine resources under our jurisdiction.

- 1.) No in-water work (pile driving) will be done from April 1 to May 31 to reduce impacts to herring and migrating juvenile salmon.
- 2.) The vibratory driving method will be used to drive the majority of each pile and the impact method will be used to proof each piling at bearing depth.
- 3.) Project personnel will monitor for marine mammals between June 1 and September 30 and cease pile driving if marine mammals approach within 200 meters.



NMFS concurs with these measures except for recommendation #3, which should remove the phrase "between June 1 and September 30". Marine mammals may occur in southeast Alaska waters year round, and monitoring for them should not be limited to the summer.

Thank you for the opportunity to comment. If you have any further questions, please contact Linda Shaw at 907-586-7643.

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

cc: \*EPA Juneau, Chris Meade  
\*ADF&G, Tom Schumacher  
ADEC, ADNR, USFWS, Juneau  
\*email