



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

November 17, 2006

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

Re: POA-1983-513-O  
Klawock Inlet

Attn: Randy Vigil

Dear Colonel Wilson:

The National Marine Fisheries Service has reviewed the above referenced application for work related to harbor improvements and construction of a community park in Klawock, Alaska. The work includes: discharging shot rock into approximately 0.76 acres below high tide line (HTL) for the construction of a community building and park; discharging shot rock and riprap into approximately 0.025 acres below HTL for parking; discharging shot rock and concrete into approximately 0.04 acres below HTL and dredging 55 cubic yards of sediment below mean high water associated with the construction of a boat-grounding grid access ramp; and construction of two wood floats, one 50 feet long by 40 feet wide and the other 20 feet long by 20 feet wide, connected to shore by a 120 feet long by 12 feet wide drive-down ramp. The floating docks will be held in place with 6 24-inch diameter steel piles.

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make EFH Conservation Recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. The proposed project is located near the mouth of the Klawock River, a major salmon producing system on Prince of Wales Island. The Alaska Department of Fish and Game's Anadromous Waters Catalog indicates the Klawock River watershed supports coho, pink, sockeye, and chum salmon. Juvenile salmon outmigrating from the Klawock River will pass through the project area and use nearshore areas during spring and early summer for feeding and predator avoidance prior to migration out to sea. Other species found in nearshore habitats in the Klawock area include Pacific herring and sand lance (NMFS, Online Nearshore Fish Atlas of Alaska).

In accordance with Section 305(b)(4)(A) of the MSA, NMFS makes the following EFH Conservation Recommendations:



1. No in-water work should be permitted from April 1 through June 15 of any year to protect out-migrating salmon.
2. No docks, ramps, or other structures should be placed in or over eelgrass beds.
3. All intertidal work below the high tide line should occur when tidelands are not submerged to reduce turbidity.
4. Wood that comes in contact with water should be treated with waterborne preservatives approved for use in aquatic and/or marine environments. These include, but are not limited to: Chromated Copper Arsenic (CCA) Type C, Ammoniacal Copper Zinc Arsenate (ACZA), Alkaline Copper Quat (ACQ), Copper Boron Azole (CBA) or Copper Azole (CA). Use wood treated with waterborne preservatives in accordance with Best Management Practices developed by the Western Wood Preservers Institute. Treated wood should be inspected before installation to ensure that no superficial deposits of preservative material remain on the wood. All cutting and boring of treated wood should take place in upland areas; all wood waste materials should be kept out of the aquatic environment and properly disposed of. Any cut wood, wood chips, or sawdust from treated wood that enters the aquatic environment should be collected and promptly disposed of at an acceptable upland site.
5. Drive piles with a vibratory hammer. If an impact hammer is required because of substrate type or the need for seismic stability, piles should be driven as deep as possible with a vibratory hammer before the impact hammer is used. Vibratory hammers generally produce less intense sounds than impact hammers (NMFS 2005). Further, fish have been observed to avoid sounds similar to those produced by vibratory hammers and to remain within the field of harmful sound associated with an impact hammer (Dolat 1997).
6. The riprap slope along the perimeter of the canoe shed pad should be replaced with a stacked-rock wall to reduce the amount of fill placed on tidelands. The stacked-rock wall should be located at the proposed fill shoulder to maintain the pad dimensions as currently designed.

Under section 305(b)(4) of the Magnuson-Stevens Act, the Corps is required to respond to NMFS EFH Conservation 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.

If you have any questions regarding our recommendations for this project, please contact John Hudson (907-586-7639).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Mecum". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert D. Mecum  
Acting Administrator, Alaska Region

cc: Applicant: City of Klawock, PO Box 469, Klawock, Ak 99925  
EPA Juneau, Chris Meade\*  
ADNR, Mark Minnillo\*  
ADEC, USFWS, Juneau\*

\* e-mail PDF

## **Literature cited**

Dolat, S.W. 1997. Acoustic measurements during the Baldwin Bridge Demolition (final, dated March 14, 1997). Prepared for White Oak Construction by Sonalysts, Inc., Waterford, CT/34 pp + appendices.

National Marine Fisheries Service. 2005. Final Environmental Impact Statement, Essential Fish Habitat Identification and Conservation in Alaska, Vol. 2, Appendix G; National Marine Fisheries Service, Department of Commerce. April, 2005.