



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

October 19, 2006

Colonel Kevin J. Wilson
District Engineer
U.S. Army Corps of Engineers
P.O. Box 6898
Anchorage, Alaska 99506-0898

Re: POA-1953-25-M
Tongass Narrows

Attn: Nicole Hayes

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced proposal by Mr. John Karuza to replace an existing two-story building on a wood deck and pilings with a concrete deck and steel pilings. The project involves removing 120 timber piles in Tongass Narrows. The new pilings and decking will support a multi-use commercial-residential building. The new structure will be constructed on an 11,930-square foot deck supported by 30 16-inch steel piles and eight 16-inch steel piles. NMFS offers the following comments and recommendations pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Section 305(b) of the Magnuson-Stevens 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. NMFS concurs with the Corps determination that the proposed activity may affect EFH for groundfish and salmon. We are particularly concerned about the direct affects of pile driving on Magnuson-Stevens Act species in the area.

We offer the following EFH Conservation Recommendations pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act:

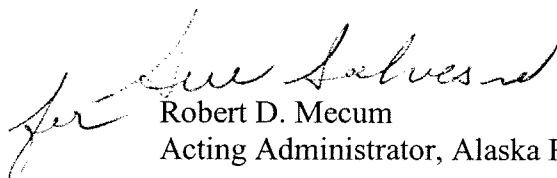
1. Pile driving could produce sound pressure waves and high levels of turbidity that are harmful to juvenile salmonids. Drive piles at a time of year when juvenile salmonids are not present. No pile driving should be permitted from March 15 to June 15.
2. Drive piles with a vibratory hammer. If an impact 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). A hammer cushion should be used to minimize vibration impacts to marine life.



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 comments and Conservation Recommendations for this project, please contact John Hudson (907-586-7639).

Sincerely,

A handwritten signature in cursive script, appearing to read "for Bob Mecum".

Robert D. Mecum
Acting Administrator, Alaska Region

cc: Applicant
*EPA Juneau, Chris Meade
*ADF&G, ADEC, ADNR, USFWS

*e-mail

Literature and web pages 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.