



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

October 29, 2007

Jane Gendron
Project Environmental Coordinator
Alaska Dept. of Trans. And Public Facilities (ADOT)
6860 Glacier Highway
P.O. Box 112506
Juneau, Alaska 99811-2506

Re: Request for Information and Comments on the Proposed Release of Airport Lands, Sitka
Rocky Guitierrez Airport

Dear Ms. Gendron:

The National Marine Fisheries Service (NMFS) has reviewed the referenced document describing the proposal to release the islands within ATS, Tract I-A of the Sitka airport property from the Federal Aviation Administration to the ADOT, who would then transfer them to the Alaska Department of Natural Resources (ADNR) for possible designation as a State Park. The causeway and connecting islands would retain designation as the Sitka Naval Operating Base and U.S. Army Coastal Defenses National Historic Landmark. The causeways are currently owned by the Bureau of Land Management and would be released to ADNR separately from ADOT. In our telephone conversation of October 26, 2007 we determined that the most likely potential impact of this project to NMFS jurisdictional resources would be the indirect effect of construction of a floating dock in Whiting Harbor by ADNR for improved access to the park. While that action is not within the scope of the proposed action, it is included in our comments for your consideration of indirect effects in your National Environmental Policy Act documentation for the project.

We offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

Essential Fish Habitat

Section 305(b) of the MSFCMA 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.



No anadromous streams have been cataloged by the Alaska Department of Fish and Game (ADF&G) on the islands or the adjacent Sitka airport property. Near shore habitats of the island and causeway are likely utilized by juvenile salmon originating from other anadromous streams in the Sitka area as they migrate from fresh water to salt water in the spring and summer. Juvenile salmon use inshore areas during spring and early summer for feeding and predator avoidance prior to migration out to sea.

The inshore area of the project location may provide important habitat for other marine fish and invertebrate species including shortraker, yelloweye, and rougheye rockfish, arrowtooth flounder, Atka mackerel, capelin, eulachon, sand lance, sculpin, shark, Pacific cod, sablefish, walleye Pollock, Dover sole, flathead sole, rex sole, rock sole, Greenland turbot, octopus, squid, Pacific ocean perch, skates, and sculpins.

The Southeast Alaska shorezone mapping system was queried for the distribution of a number of valuable habitat features, which are displayed in the enclosed website screen printings. As you can see, distributions of bull kelp, giant kelp, eelgrass, surfgrass, soft brown kelps, Alaria, red algae, green algae, dune grass, rockweed, and barnacles are found along the causeway and island shorelines. The area with the least species and coverage is in the area of Whiting Harbor. This area contains patchy red and green algae, rockweed and barnacles. Based on these distributions, the area that would impact the least habitat resources if selected for a dock would be Whiting Harbor. In addition, the following EFH Conservation Recommendations, pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act are commonly made by NMFS to reduce the adverse affects of docks including increased sedimentation and turbidity caused by potential grounding of the float structures, underwater sound pressure waves generated by pile driving, exposure to toxic materials, and loss of habitat.

1. The proposed floating dock should not ground at any tidal stage. The pile-supported staging area and dock should be elevated at least 5-feet above the substrate at the lowest tides.
2. The use of any wood that has been surface or pressure-treated with creosote or treated with pentachlorophenol should be prohibited. Creosote is a wood preservative typically composed of 85% polycyclic aromatic hydrocarbons (PAH), 10% phenolics, and 5% heterocyclic compounds (Munro, K.A. 2001). Creosote can be a significant source of PAH to marine water. Diffusion of PAH from creosote treated wood is a long-term process that may last the life of the product (Poston, 2001). Alternatives to treated wood that have no or reduced toxicity should be used wherever practicable. If treated lumber will be used, any wood that comes in contact with marine or aquatic environments 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). The applicant should only use wood

that has been treated 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 occur on the wood. All cutting and boring of treated wood should take place in upland areas; all waste materials should be kept out of the aquatic environment and be properly disposed of upland.

3. Drive piles with a vibratory hammer. Pile-driving can disrupt migration and can generate intense underwater sound pressure waves that can injure or kill fish (Longmuir and Lively 2001, Stotz and Colby 2001). Vibratory hammers produce less intense sounds than impact hammers (NMFS 2005). 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). 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.
4. All work below the high tide line should be limited to low tidal stages to reduce turbidity. Potentially harmful sound pressure waves are attenuated more rapidly in shallow water than in deep water (Rogers and Cox 1988).
5. No in-water work should be permitted from April 1 through June 15 of any year to protect out migrating salmon and spawning herring.
6. NMFS recommends that reasonable precautions be taken to prevent incidental and accidental discharge of petroleum products and other contaminants. An emergency oil spill response kit or other appropriate equipment such as absorbent pads should be available on site to allow fast response to small oil spills and accidental discharge of hydrocarbon contaminated bilge waters.

Threatened and Endangered Species/Marine Mammals

Section 7(a)(2) of the ESA directs federal interagency cooperation “to insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species” or result in the destruction or adverse modification of critical habitat. NMFS is responsible for the administration of the ESA as it applies to listed cetaceans, pinnipeds, fish, and reptiles (sea turtles) In southeast Alaska, endangered marine mammal species include the Steller sea lion (western stock, west of 144 degrees West longitude), fin whales and humpback whales. The endangered leatherback turtle has also been documented in southeast Alaska. The threatened eastern population of Steller sea lion (eastern stock, east of 144 degrees West longitude) is also present in southeast Alaska. Salmon from several ESA-listed Evolutionarily Significant Units along the west coast may occur in Alaska waters.

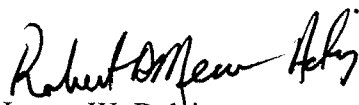
Marine mammal species that are not listed under the ESA are afforded protection by the MMPA. In southeast Alaska, these species include harbor seals, harbor porpoise, Dall's porpoise, minke and killer whales. All of the aforementioned species may swim and forage in marine waters near the proposed project at any time of year on an opportunistic basis. Several documents on the distribution of marine mammals near the Sitka airport may be found on their Environmental Impact Statement website at http://www.sitkaeis.com/informational_materials.htm. General information on ESA species and MMPA species under NMFS jurisdiction can be found at: <http://www.fakr.noaa.gov/protectedresources>.

The MMPA and the ESA prohibit the injury, harm or harassment of marine mammals. Pile driving introduces high levels of impulsive noise into the water column, with the potential to harass or injure marine mammals. An indirect impact of placing a dock in Whiting Harbor could include the introduction of sound to the marine environment from pile driving. Sound pressure levels (SPLs) in the range of 130-135 dB re: 1 μ Pa have been measured up to one kilometer from an active pile driver (Johnson et. al., 1986). Humpback whales have been observed to react to SPLs greater than 115-129 dB re: 1 μ Pa within 200 meters of a sound source. Reyff (2003) measured SPLs of 159 dB re: 1 μ Pa about 200 meters from a pile driver driving 14-inch diameter hollow steel piles. NMFS normally considers harassment takes to begin at received levels of 160 dB.

NMFS recommends that any pile driving does not occur if any marine mammals are observed within 200 meters of sound sources to reduce the possibility for harassment or injury to marine mammals. The operator should scan the area for the presence of marine mammals. If marine mammals are sighted within 200 meters of the sound source or are observed to be disturbed by the activity at any distance, pile driving should cease until the animals leave the immediate area.

If you have any questions regarding our comments for this project, please contact Linda Shaw at 907-586-7510. Please direct any questions regarding marine mammals and endangered species to Aleria Jensen at (907) 586-7248 or Erika Phillips at (907) 586-7312.

Sincerely,


for James W. Balsiger
Administrator, Alaska Region

cc:

EPA Juneau, Chris Meade*
ADNR, Juneau, Sadie Wright*
USFWS, Juneau, Richard Enriquez*
ADF&G, Juneau, Tom Schumacher*

NMFS, HCD, Juneau, Linda Shaw

NMFS, PRD, Juneau, Kaja Brix, Aleria Jensen, and Erika Phillips*

NMFS, AKR, Records

* electronic copy

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