



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

October 16, 2007

Daniel Jones, P. E.  
City and Borough of Sitka  
Public Works Department  
100 Lincoln Street  
Sitka, Alaska 99835

Re: Sitka Benchlands Subdivision  
Project Number 26-PO53WW

Dear Mr. Jones:

The National Marine Fisheries Service (NMFS) reviewed your request for comments on the proposed design for utilities, roadways and pathways to serve the Benchlands Subdivision in Sitka. The major components of the project include: a water tank and new access road; water and sewer systems; roadway design; and design of stormwater management system. Construction of the water tank, water tank access road and connecting water line is expected in 2008. The schedule for the remaining roads and utilities will depend on future funding. The goal of the proposed project is to provide residential housing opportunities, neighborhood parks, recreational paths, and provide a water tank to meet the existing and future water storage needs of the community.

We offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). Section 305(b) of the MSFCMA requires federal agencies to consult with NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may adversely affect designated 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.

To our knowledge there are no anadromous fish streams within the project boundaries. As you noted Alaska Department of Fish and Game's (ADF&G) *Atlas and Catalog of Waters Important for Spawning, Rearing or Migration of Anadromous Fishes* (Atlas) identifies stream number 113-41-10180, Cascade Creek, to the south of the project area and identifies stream number 113-42-10175 to the north of the project area. Cascade Creek has coho, pink and chum salmon. Stream number 10175 has coho salmon and Dolly Varden char.

Juvenile salmon use marine nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea. Additionally, nearshore marine waters provide habitat for several other fish species including Pacific cod, arrowtooth flounder, walleye pollock, dusky rockfish, shorttraker/ roughey rockfish, yelloweye rockfish, Pacific ocean perch, skates, and sculpins. Pacific herring spawn in the marine waters along Halibut Point Road.



### Essential Fish Habitat Consultation Process

If federal funds will be used to construct this project or if federal permits will be needed to implement this project then the environmental analysis must address the EFH requirements of the MSFCMA which includes preparation of an EFH Assessment and consultation with NMFS.

An EFH Assessment must contain:

1. A description of the proposed action.
2. An analysis of the potential adverse effects of the action on EFH and the managed species.
3. The Federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

If appropriate the assessment should also include:

- a) The results of an on-site inspection to evaluate the habitat and the site-specific effects of the project.
- b) The views of recognized experts on the habitat or species that may be affected.
- c) A review of pertinent literature and related information.
- d) An analysis of alternatives to the action, including alternatives that could avoid or minimize adverse effects on EFH.
- e) Other relevant information.

For information on federally managed species and EFH, NMFS directs you to the following web sites: <http://www.fakr.noaa.gov/habitat/efh.htm> , <http://www.fakr.noaa.gov/maps/default.htm> , and <http://www.fakr.noaa.gov/efh/download/efhshp.htm> .

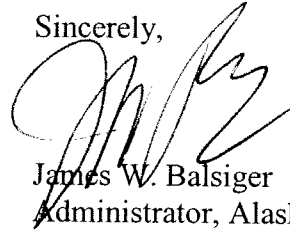
### Recommendations

NMFS offers the following scoping comments and recommendations to minimize impacts to water quality and EFH.

1. The project should be designed and constructed in a manner to minimize the transport of sediment into marine waters downgradient of the project.
2. NMFS recommends preparing an Erosion and Sediment Control Plan prior to implementing any construction. This plan should describe the Best Management practices that will be used to control sediment runoff from construction activities and minimize impacts to water quality
3. NMFS recommends working with Alaska Department of Natural Resources Office of Habitat Management and Permitting (Jackie Timothy, 907 465-4759) to survey drainages within the project area and ensure compliance with Alaska Title 41 for resident and anadromous fish passage.

If you have any questions regarding our comments for this project, please contact Cindy Hartmann at 907-586-7585 or Linda Shaw at 907-586-7510.

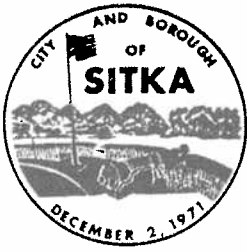
Sincerely,

A handwritten signature in black ink, appearing to read 'J. Balsiger', written over the printed name.

James W. Balsiger  
Administrator, Alaska Region

cc: EPA Juneau, Chris Meade\*  
ADNR Juneau, Jackie Timothy\*  
USFWS Juneau, Richard Enriquez\*  
ADF&G Juneau Tom Schumacker\*  
ADF&G Sitka, Bob Chadwick\*  
NMFS HCD Juneau, Cindy Hartmann and Linda Shaw\*

\* e-mail PDF



# City and Borough of Sitka

PUBLIC WORKS

100 LINCOLN STREET • SITKA, ALASKA 99835

PHONE (907) 747-1804 FAX (907) 747-3158

---

September 7, 2007

Robert Mecum  
NMFS  
PO Box 21668  
Juneau AK 99802-1668

Re: City and Borough of Sitka Benchlands Subdivision  
Project Number: 26-PO53WW

Subject: Request for Scoping Comments

Dear Mr. Meum:

The City and Borough of Sitka (CBS) is requesting your comments on the proposed design for utilities, roadways and pathways to serve the Benchlands Subdivision in Sitka, Alaska. The Benchlands Subdivision is located approximately two miles north of downtown Sitka, and can be accessed off of Halibut Point Road. The project area is located at 57°03'50" North latitude and 135°21'43" West longitude, USGS Quad Map Sitka A-5. The goal of the proposed project is to provide residential housing opportunities, neighborhood parks, recreational paths, and provide a water tank to meet the existing and future water storage needs of the community. Figure 1 shows the project location and vicinity.

CBS has been working on the Benchlands Subdivision off and on for 30 years. After subdividing the land into building lots, park preserve lots and street rights-of-way, construction contractors built road bases for the subdivision in the early 1980's. Work stopped and trees and brush now crowd the area. Figure 2 shows the project area as it exists today. CBS recognizes the area has since become a popular recreation spot for local residents hiking and walking their dogs. CBS recently received a State grant for design of the subdivision infrastructure and to construct a water tank, access road and some portion of the water and sewer utilities. CBS expects to acquire additional funding in the coming years to construct the remaining utilities and roads.

Major components of the project include:

- Water tank and new access road.
- Water and sewer systems.
- Roadway Design.
- Design of stormwater management system that maintains natural drainage while not overwhelming existing downstream drainage channels.

Request for Scoping Comments

September 7, 2007

Page 2 of 5

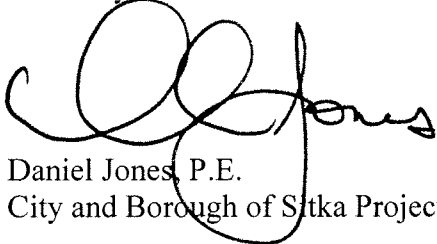
The majority of this project will fall within the existing road base that was constructed in the early 1980's.

The project team is currently engaged in background investigations and field studies to support design for roads, utilities, and a new water tank. Figure 1 shows the Benchlands Subdivision and two proposed locations for the water tank and access road. Construction of the water tank, water tank access road and connecting water line is expected in 2008. The schedule for construction of the remaining roads and utilities will depend on future funding.

**We request your comments on this project.** Your agency's input is important. Early identification of environmental issues will facilitate efficient project development by identifying potential impacts that will allow us to incorporate measures into the project that will avoid and minimize impacts. Preliminary environmental research is summarized as an attachment for your review. We request your comments on the proposed project, particularly in regard to resources under your jurisdiction.

Thank you for considering this request. I look forward to your comments concerning the project. If you have any questions or need additional information regarding the proposed project, please contact me, at 907-747-1805.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Jones". The signature is fluid and cursive, with a large loop at the beginning and a long tail extending to the right.

Daniel Jones, P.E.

City and Borough of Sitka Project Manager and Engineer

Enclosures: Figure 1: Benchlands Subdivision  
Figure 2: Existing Conditions  
Preliminary Research Results

## **Preliminary Research Results**

### **Contaminated Sites, Spills and Underground Storage Tanks:**

The Alaska Department of Environmental Coordination (DEC) contaminated sites databases do not contain any records of contaminated releases spills or underground storage tanks within the proposed project area. It is unlikely that any contaminated sites would be encountered in this project.

### **Anadromous Fish Streams:**

A search of the Alaska Department of Fish & Game (ADF&G) online "Fish Distribution Database" found no cataloged anadromous fish streams within the project boundaries. Cascade Creek, Stream # 113-41-10180 is located south of the project area, and an unnamed Stream #113-41-10175 is located north of the project area.

### **State Refuges, Critical Habitat Areas and Sanctuaries:**

The ADF&G publication State of Alaska Refuges, Critical Habitat Areas, and Sanctuaries does not identify any state refuges, critical habitat areas, or sanctuaries in the project vicinity.

### **Coastal Zone Management**

The Benchlands subdivision is within the City of Sitka Coastal Management District. A Coastal Project Questionnaire and Certification Statement will be filed with the Alaska Department of Natural Resources (DNR), Office of Project Management and Permitting (OPMP) for review under the Alaska Coastal Management Program.

### **Wetlands**

According to the U. S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) mapping, Palustrine Forested wetlands occur within the project boundaries. CBS contracted USKH to conduct a wetland delineation of the project boundaries on August 13-15<sup>th</sup>. CBS will coordinate with the U.S. Army Corps of Engineers to determine Jurisdiction of the wetlands and drainages found within the project area boundaries.

### **Threatened and Endangered Species**

The USFWS Threatened and Endangered Species System (TESS) indicates 12 animal and one plant species as being threatened or endangered in Alaska. None of the documented species are known to occur within the project area.

### **Eagles**

Consultation with the USFWS found documentation of one eagle tree known to exist within the project boundary within the vicinity of Kramer Avenue and Brightman Street. But- thus far the tree cannot be found. Location information for the known tree when located, will be included in the project plans. Project actions that cause significant disturbance will not be sited within 330 feet of active or inactive bald eagle nests.