



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

September 12, 2007

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

Re: POA-2007-950-1  
Tongass Narrows

Attn: Nicole Hayes

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced application from the Survey Point Properties to construct two steel pile-supported concrete platforms. One is approximately 76 X 90 feet in area requiring sixteen 16 inch vertical piles and eight batter piles and the second, approximately 64 X 48 feet in area, supported by nine 16 inch vertical piles and four batter piles. These platforms are intended to support two, two-story commercial buildings.

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. Juvenile salmon in Tongass Narrows use nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea. Tongass Narrows is also utilized by Pacific herring and other fish species that are important prey for MSA species.

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 March 15 through June 15 of any year to protect juvenile salmon and herring.
2. Drive piles with a vibratory hammer. Pile driving 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.



3. In intertidal areas, drive piles during low tide when they are located. Potentially harmful sound pressure waves are attenuated more rapidly in shallow water than in deep water (Rogers and Cox 1988).

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.

Finally, Tongass Narrows is within the known or historic range of the Steller sea lion and the endangered humpback whale. To reduce the possibility for harassment or injury to marine mammals, pile driving should not occur if any marine mammals are observed within 200 meters of the platform. Prior to driving piles, 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.

The Public Notice for this project did not indicate whether blasting will be required to set piles in bedrock. If blasting is required, NMFS will provide recommendations to minimize the effects of blasting on EFH and marine mammals.

NMFS staff visited the site on September 7<sup>th</sup> and observed what appeared to be new fill in the construction zone. Adding fill was not included in the permit application and should be investigated by the Corps. Photographs will be sent to the project manager.

If you have any questions regarding our recommendations for this project, please contact Timothy Wilkins at 907-586-7643 or [timothy.wilkins@noaa.gov](mailto:timothy.wilkins@noaa.gov).

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

cc: Applicant  
EPA Juneau, Chris Meade\*  
ADNR, Mark Minnillo\*  
USFWS Juneau, Richard Enriquez\*  
ADEC Juneau, Brenda Krauss\*  
OHMP, Erin Allee\*

## 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.

Longmuir, C. and T. Lively. 2001. Bubble curtain systems for use during marine pile driving. Report by Fraser River Pile & Dredge Ltd., New Westminster, British Columbia. 9 pp.

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.

Rogers, P.H. and M. Cox. 1988. Underwater sound as a biological stimulus. pp. 131-149. *In* Sensory biology of aquatic animals. Atema, J, R.R. Fay, A.N. Popper, and W.N. Tavolga, eds. Springer-Verlag. New York.

Stotz, T. and J. Colby. 2001. January 2001 dive report for Mukilteo wingwall replacement project. Washington State Ferries Memorandum. 5 pp. + appendices.