



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

January 30, 2008

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

Re: POA-1950-23
Tongass Narrows

Attn: Harry A. Baij Jr.

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced application from E. C. Phillips and Son, Inc., to expand their seafood processing plant by constructing a new pile supported cold storage platform and providing moorage and fueling access for water-based aircraft. The project would consist of 1) a new irregularly shaped 36,527 square foot dock foundation supported by approximately 313 twelve-inch diameter galvanized steel piles spaced on a 10-foot center; 2) a new 16 by 100-foot wooden float accessed by a 7 by 75-foot aluminum ramp attached to an existing dock; and 3) a 20 by 60-foot and 20 by 20-foot combination wooden aircraft moorage and fuel float supported by 3 twelve-inch diameter galvanized steel pilings and accessed by a 6 by 70-foot aluminum ramp attached to existing fill. Approximately 6 cubic yards of substrate would be dredged for a concrete ramp abutment leading to the float plane facility. Another approximate 95 cubic yards of substrate will be dredged to re-grade the ramp for clearance with dredged material utilized as fill for an existing parking lot. On-site servicing of aircraft will occur.

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 Alaska Department of Fish and Game's Anadromous Waters Catalog identifies several anadromous streams in the vicinity of Tongass Narrows. These streams support known pink salmon spawning grounds, coho rearing grounds, sockeye and chum salmon runs. Juvenile salmon use nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea. In addition to Pacific salmon, the NMFS' Nearshore Fish Atlas indicates that the following MSA species utilize nearshore habitat in the vicinity of the project: sculpin, flatfish, forage fish species, and Pacific sand lance.

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



1. 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.
2. 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).
3. The use of any wood that has been surface or pressure-treated with creosote or treated with pentachlorophenol should be prohibited. If treated wood must be used, any 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.
4. We recommend construction activities not be conducted during periods of peak use by juvenile salmonids. No in-water work should be permitted from April 1 through June 15 to protect out-migrating salmon.
5. Reasonable precautions should be taken to prevent incidental and accidental discharge of petroleum products and other contaminants. A dock-side emergency oil spill response kit or other appropriate equipment should be made available to allow fast response to any accidental discharge of petroleum hydrocarbons and other contaminants.

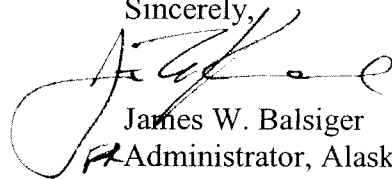
Additionally, to reduce the possibility for harassment or injury to marine mammals, pile driving should not occur if any marine mammals are observed within 200 meters of the platform. The operator should scan the area for the presence of marine mammals. If marine mammals are sighted within 200 meters 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.

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 Tim Wilkins at 907-586-7643 or timothy.wilkins@noaa.gov.

Sincerely,



James W. Balsiger

Administrator, Alaska Region

cc: Applicant
Agent
EPA Juneau, Chris Meade*
ADNR Craig, Mark Minnillo*
USFWS Juneau, Steve Brockman*
ADEC Juneau, Brenda Krauss*
ADNR, Alexandria Dugaqua*
ADNR Juneau, Jim Anderson*
DCOM Juneau, Joe Donohue*
DCOM Juneau, Claire Batac*
CDC Ketchikan, Leslie Real*

* 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.
- 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.
- Poston, Ted. 2001. *Treated Wood Issues Associated with Overwater Structures in Marine and Freshwater Environments*. White Paper, Washington Department of Fish and Wildlife. <http://wdfw.wa.gov/hab/ahg/overwatr.htm>
- 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.