



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

*National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668*

January 8, 2004

Colonel Timothy J. Gallagher
District Engineer
U.S. Army Corps of Engineers
Alaska District
P.O. Box 898
Anchorage, Alaska 99506-0898

Re: General Permit GP 2003-01
For Bank Stabilization Within the Kenai
Peninsula Borough, Alaska

Attn: Dave Casey

Dear Colonel Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the proposed General Permit (GP) that would authorize the discharge of fill material into waters of the United States within the Kenai Peninsula Borough (KPB) for bank stabilization activities. Bank stabilization will take place only if in compliance with the terms and conditions of the GP. Conditions have been incorporated into the GP to provide for protection of anadromous fish resources. The GP's area of coverage would include all special habitat areas within the KPB.

The U.S. Army Corps of Engineers (Corps) has made a determination that the proposed GP would not adversely affect Essential Fish Habitat (EFH). NMFS agrees with this determination and does not offer any EFH conservation recommendations at this time. Further EFH consultation is not necessary, and we have no objection to the proposed project. Brian Lance is the NMFS contact for this project, and can be reached by telephone at (907) 271-1301.

Sincerely,

James W. Balsiger
Administrator, Alaska Region

cc: USFWS, EPA, ADGC, ADFG, ADEC - Anchorage

