



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

June 2, 2006

Mark Anderson
Project Environmental Coordinator
State of Alaska
Department of Transportation and Public Facilities
Design and Engineering Services – Southeast Region
6860 Glacier Highway
Juneau, AK 99801-7999

Re: Hoonah and Kake Ferry Terminal Dolphins, Project 69042

Dear Mr. Anderson:

The National Marine Fisheries Service (NMFS) reviewed your May 11 and May 18, 2006, letters requesting NMFS comments on a project to add a new mooring structure at both the Hoonah and Kake ferry terminal facilities. The project would construct one new dolphin at each facility. The new structures would be constructed of four 30 inch diameter by ½ inch walled open-end steel pipe piles. The new mooring structure is within the limits of the existing ferry rights of way. The purpose of the project is to allow mooring of mainline Alaska Marine Highway System vessels.

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

Essential Fish Habitat

Section 305(b) of the MSFCMA (16 USC 1855 (b)) 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). Your May 18, 2006, letter included an EFH Assessment for the Hoonah and Kake ferry terminal dolphins. The proposed EFH conservation measures are in Section III of this assessment. NMFS offers no additional EFH Conservation Recommendations.

NMFS offers information on anadromous fish streams in the vicinity of the Hoonah and Kake ferry terminals in addition to what is in the EFH Assessment. The Alaska Department of Fish and Game (ADF&G) anadromous waters catalogue lists several catalogued anadromous fish streams within a mile of the Hoonah ferry terminal. These streams are: stream number 114-31-10080 with coho and pink salmon, and stream number 114-31-10090 (Gartina Creek) with coho, pink and chum salmon. Catalogued anadromous fish streams within a mile of the Kake ferry terminal include: stream number



109-42-10040 (Gunnuk Creek) with coho, pink and chum salmon and stream number 109-42-10041 (Little Gunnuk Creek) with pink salmon.

Threatened and Endangered Species/Marine Mammals

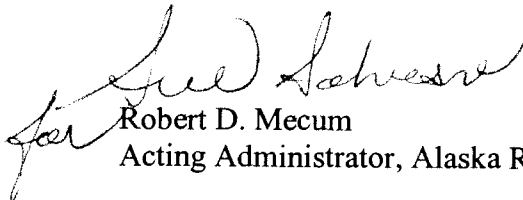
The project is within the range of the endangered humpback whale and the threatened Steller sea lion, as well as harbor and Dall's porpoises, harbor seals, and minke and killer whales, which are protected under the MMPA. All of these species may occur in the area at any time of year on an opportunistic basis.

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. 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.

Your May 11, 2006, letter states that proposed project mitigation includes: "... scanning for marine mammals and stopping pile driving activities if they approach within 200 meters, and using Best Management Practices for construction." In addition, NMFS recommends that if marine mammals are observed to be disturbed by the activity at any distance, pile driving cease until the animals leave the immediate area.

If you have questions regarding our MMPA and ESA recommendations, please contact NMFS Protected Resources Division staff at (907) 586-7235. If you have any questions regarding our EFH comments and conservation recommendations for this project, please contact Cindy Hartmann at 907-586-7585.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: Kaja Brix, NMFS PRD, Juneau
Cindy Hartmann, NMFS HCD, Juneau
Linda Shaw, NMFS, HCD, Juneau

References:

Johnson, S.R., C.R. Greene, R.A. Davis, and W.J. Richardson. 1986. Bowhead whales and underwater noise near the Sandpiper Island drillsite, Alaskan Beaufort Sea, autumn 1985, Reprinted by LGL Limited Environmental Research Associates, King City, Ontario, and Greeneridge Sciences, Inc., Santa Barbara, CA, for Shell Western Exploration & Production Inc., Anchorage, AK. 130p.

Reyff, J.A. 2003. Underwater sound levels associated with seismic retrofit construction of the Richmond-San Rafael Bridge. Document in support of Biological Assessment for the Richmond-San Rafael Bridge Seismic Safety Project. January 31, 2003. 18pp.

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comments on EFH Assessment May 06 CAH

Cindy Hartmann
May 31, 2006