



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

June 22, 2006

Mary Leykom  
Project Manager  
U. S. Army Corps of Engineers  
P.O. Box 898  
Anchorage, AK 99506-0898

RE: POA –2006-944  
Petersburg South Harbor

Dear Ms. Leykom:

The National Marine Fisheries Service (NMFS) reviewed your June 19, 2006, letter concerning an application from Mr. Dave Ellis for work in Petersburg South Harbor in Petersburg, Alaska. Mr. Ellis proposes to install four 10-inch diameter, recycled creosote-treated pilings below the mean high water in Mill Slough. The applicant intends to drive the pilings from his upland property. The pilings are to secure a future boathouse for which the design is not finalized.

The proposed work occurs below mean high water in Mill Slough which is identified in the Alaska Department of Fish and Game anadromous waters catalogue as coho salmon rearing habitat (catalogue number 106-44-10012). Rearing coho and other marine species within the project area may be adversely affected by increased turbidity, underwater sound pressure waves, and exposure to toxic materials.

NMFS offers the following EFH Conservation Recommendations pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act Fishery Conservation and Management:

1. To the extent possible, drive piles during low tide periods to prevent potential injuries to fish and reduce turbidity.
2. The use of any wood that has been surface or pressure-treated with creosote or treated with pentachlorophenol should be prohibited. Creosote contains numerous constituents that are toxic to aquatic organisms including polycyclic aromatic hydrocarbons (PAHs), phenolic compounds, and nitrogen, sulfur, or oxygenated heterocyclics (Poston, 2001<sup>1</sup>). Leaching of these constituents continues throughout the life of the wood and has been associated with the development of tumors, immune system suppression, decreased fecundity and abnormal embryonic development.

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<sup>1</sup> 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>



If treated wood must be used, any wood that comes in contact with marine or aquatic environments 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). The applicant should only use wood that has been treated 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 occur on the wood.

Upon receipt of these EFH Conservation Recommendations, section 305(b)(4)(B) of the Magnuson-Stevens Act requires the Corps to respond to NMFS within 30 days informing us of the agency's decision regarding these recommendations.

If you have any questions regarding our comments and conservation recommendations for this project, please contact Cindy Hartmann (907-586-7585, [cindy.hartmann@noaa.gov](mailto:cindy.hartmann@noaa.gov) ).

Sincerely,



Robert D. Mecum

Acting Administrator, Alaska Region

cc: Mr. Dave Ellis, P.O. Box 1349, Petersburg, AK  
\*Bill Hanson and Richard Enriquez, USFWS, Juneau  
\*Chris Meade, EPA, Juneau  
\*Jim Cariello, ADNR-OHMP, Petersburg  
\*Tom Schumacher, ADF&G, Juneau  
\*Cindy Hartmann, NMFS Habitat Conservation Division, Juneau