



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

January 25, 2007

Colonel Kevin J. Wilson
District Engineer, Alaska District
U.S. Army Corps of Engineers
P. O. Box 898
Anchorage, Alaska 99506-6898

Re: POA-1984-184-CC
Ship Creek

Attn: Ryan Winn

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced public notice regarding a proposal by Swan Bay Holdings, Inc. to stabilize a failing bulkhead, building foundation, and the eroding stream bank on Ship Creek, in Anchorage, Alaska. The stabilization includes removing a timber dock by pulling pilings or cutting them at the mudline, and placing 300-500 cubic yards (cy) of fill material along the bank.

The applicant has a history of attempting to stop erosion on the bank of Ship Creek by placing various materials on the bank, beginning in 1987. The high rate of siltation and ice-scouring along the banks have caused erosion to continue. The applicant proposes to key in "large chunks" of concrete to the gravel bed of Ship Creek.

Effects on NMFS Trust Resources

Fish and Essential Fish Habitat

Knik Arm, including the Ship Creek estuary, provides Essential Fish Habitat (EFH) for migrating and/or rearing Chinook salmon, coho salmon, pink salmon, and chum salmon. Ship Creek is listed as anadromous (Alaska Department of Fish & Game (ADF&G) anadromous catalog, Anchorage A-8). In addition, EFH for several species of groundfish occurs in the marine and nearshore waters of this area of Knik Arm, including sculpins, Pacific cod, and walleye pollock.

Cook Inlet Belugas

The project area also provides high value beluga whale habitat, including summer feeding areas. The Cook Inlet beluga population is a small stock that has been shown to be geographically isolated (Laidre et al. 2000) and genetically distinct (O'Corry-Crowe et al. 1997) from other Alaskan beluga stocks. The Cook Inlet beluga's range appears to be largely confined to Cook



Inlet (Rugh et al. 2000, 2005), with high-density concentrations in the upper Inlet. Since 1994, the Cook Inlet beluga population has declined significantly (Hobbs et al. 2000). The Cook Inlet beluga population was designated as depleted under the MMPA in 2000 (65 FR 34590). The latest survey information indicates that just 278 animals comprise the population. NMFS is currently undertaking a status review of the Cook Inlet beluga stock to determine whether this population should be listed under the Endangered Species Act.

NMFS Conservation Recommendations

The proposed project will not result in significant direct adverse effects to living marine resources including EFH. However, we are concerned about cumulative impacts from the incremental loss of habitat that occurs every time there is a need to stabilize the project site. NMFS suggests that the applicant, Swan Bay Holdings Inc., explore a longer term solution rather than continuing the cycle of short term erosion control.

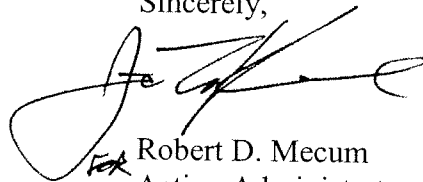
The applicant has used the proposed form of erosion control before with limited success. NMFS suggests that the applicant be limited to 500 cy of fill material, as outlined in the current permit. If erosion continues, NMFS recommends that alternative methods of erosion control be investigated to avoid the incremental loss of habitat at this site.

For the work as proposed NMFS agrees that keying in the reinforced concrete to the gravel may help it resist ice-scour. We also suggest that the chunks be a minimum diameter of 24 to 48 inches, as we suggested for earlier modifications to this project at this site. Larger sizes that help avoid mass losses of the concrete to ice-scour are preferred. In addition, for past modifications to this permit the Alaska Department of Environmental Conservation has required that the fill be clean with no projecting metal. NMFS continues to support this requirement.

NMFS recommends that any fill or dock removal activities within Ship Creek occur prior to the hatchery salmon outmigration on May 15. Additional work required should take place after September 15.

Should you have any questions regarding this project, please contact Jonathan Taylor at (907) 271-2373.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

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Records

REFERENCES

- Hobbs, R. C., D. J. Rugh, and D. P. DeMaster. 2000. Abundance of belugas, *Delphinapterus leucas*, in Cook Inlet, Alaska, 1994-2000. *Mar. Fish. Rev.* 62(3): 37-45.
- Laidre, K. L., K. E. W. Shelden, D. J. Rugh, and B. A. Mahoney. 2000. Beluga, *Delphinapterus leucas*, distribution and survey effort in the Gulf of Alaska. *Mar. Fish. Rev.* 62(3): 27-36.
- O'Corry-Crowe, G. M., R. S. Suydam, A. Rosenberg, K. J. Frost, and A. E. Dixon. 1997. Phylogeography, population structure and dispersal patterns of the beluga whale *Delphinapterus leucas* in the western Nearctic revealed by mitochondrial DNA. *Mol. Ecol.* 6: 955-970.
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- Rugh, D.J., K.E.W. Shelden, C.L. Sims, B.A. Mahoney, B.K. Smith, L.K. Litzky, and R.C. Hobbs. 2005. Aerial surveys of belugas in Cook Inlet, Alaska, June 2001, 2002, 2003, and 2004. NOAA Tech Memo. NMFS-AFSC-149. 71p.