



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

August 12, 2003

Mr. David Collentine
Project Manager
Kiewit Pacific Co.
2200 Columbia House Blvd.
Vancouver, WA 98661

RE: Wrangell Navigation Improvements Project, Pat's Creek Quarry and Log Transfer Facility (LTF) Modifications

Dear Mr. Collentine:

Thank you for hosting the August 6, 2003 agency scoping meeting for the Wrangell navigation improvements project to construct a small boat harbor and breakwater at Cemetary Point for the community of Wrangell . The U.S. Army Corps of Engineers (ACOE) conducted an environmental review for the project in 1999, and consulted with the National Marine Fisheries Service (NMFS). The purpose of the recent meeting was to discuss additional plans to utilize Pat's Creek quarry and log transfer facility (LTF) to mine and transport rock for the project breakwater. Pat's Creek quarry and LTF are located about eight miles south of Wrangell. An environmental assessment (EA) will be prepared for the referenced modifications.

Essential Fish Habitat:

The EA should include an assessment of the impacts of the proposed action to essential fish habitat (EFH), pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, in a chapter or section titled "EFH". The EFH assessment should include 1) a description of the action; 2) an analysis of the potential adverse effects of the action on EFH, and managed species; 3) the ACOE's conclusions regarding effects on EFH; and, 4) a discussion of proposed mitigation, if applicable. Once we receive an EFH assessment for this project, NMFS must provide EFH conservation recommendations if the project would adversely affect EFH. Wherever possible, NMFS should have at least 60 days notice prior to a final decision on an action to develop conservation recommendations, or at least 90 days if the action would result in a substantial adverse impact to EFH.



EFH Assessment Information:

We have identified EFH for the LTF and adjacent marine and anadromous waters as follows: walleye pollock eggs, juveniles and adults; skates adults and late juveniles, sculpin adults and late juveniles; sablefish adults and late juveniles; Pacific ocean perch adults and late juveniles, shortraker and rougheye rockfish adults and late juveniles; dusky rockfish adults and late juveniles; Pacific cod adults and late juveniles; arrowtooth flounder adults and late juveniles and all five species of Pacific salmon (chinook, coho, chum, sockeye and pink.) Further information on managed species and their habitat requirements may be obtained from our EFH ArcIMS interactive website located at www.fakr.noaa.gov/maps, and navigating to "Essential Fish Habitat with Queriable Database."

Pat's Creek, an Alaska Department of Fish and Game cataloged anadromous fish stream, (USGS Quad Petersburg, B-2, stream # 108-10-10050), supports pink, chum, coho and sockeye salmon, cutthroat and steelhead trout and Dolly Varden char, and is located approximately 1,800 feet southeast of the LTF. Juvenile salmonids from this stream normally migrate along the shoreline of the LTF in the spring. NOAA's oil spill sensitivity maps (RPI, 1992) also indicate that the general area is important for Tanner crab, Dungeness crab, shrimp, and king crab.

The no in-water work window established for the 1999 environmental review should be retained for work associated with modifying the LTF, including pile driving and removal for the temporary conveyor, placement of the five temporary dolphins for staging and securing barges for loading, and dredging. This work window will protect outmigrating juvenile salmonids from Pat's Creek and other area anadromous streams from sound disturbance, turbidity and toxic materials that may be stirred up by dredging the LTF bottom.

The sediment and erosion control and oil spill prevention and response plans discussed at the meeting for the quarry and LTF, if properly designed and implemented, should be adequate to protect adjacent marine and anadromous waters from adverse effects to EFH. The plans should be outlined in your EFH assessment, including provisions to obtain native seed mixes, as discussed at the scoping meeting.

Finally, the dredging of the LTF substrate may provide an opportunity to improve the environmental and habitat characteristics of the LTF by removing deposited bark and debris. NMFS encourages dredging a larger area to restore additional habitat value to the site. The shallow shoreline of the LTF provides habitat for juvenile migrating salmonids, as well as marine species. Dredging beyond the -20 foot contour was mentioned as undesirable at the scoping meeting, however, it may be possible to dredge from this depth to shallower waters and remove a strip of deposition parallel to the shore. We suggest checking the extent of bark and debris deposition at the LTF. During disposal of such material at the quarry site with project overburden material, care should be taken so drainage will not contaminate adjacent freshwater streams or marine waters.

Endangered Species:

Threatened Steller sea lions (*Eumetopis jubatus*) and endangered humpback whales (*Megaptera novaeangliae*) could occur in the project area near the LTF. In the EA, the Corps should consider the potential of the project to adversely affect these species pursuant to Section 7 of the Endangered Species Act. Potential adverse effects to listed species include contamination from oil spills and acoustical disturbance to humpback whales from pile driving (Steller sea lions should be able to avoid acoustical disturbance by raising their heads out of the water). Richardson et al. (1995) estimated that pile driving may generate noise in the range of 130-135 decibels for up to several kilometers. Humpback whales may react to noises above 115-129 decibels within 200 meters of a sound source (Zoidis, pers. comm.). NMFS recommends the following procedure to avoid acoustical harassment of humpback whales.

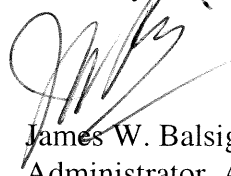
“Pile driving is authorized only if no humpback whales are present within 200 meters of the sound source. An observer, able to identify humpback whales, must scan the area for the presence of humpback whales. If whales are sighted within 200 meters of the sound source, or are observed to be disturbed by the activity, pile driving must cease until the whales leave the immediate area. A report of monitoring results should be supplied to NMFS following completion of pile driving operations.”

Several other projects in southeast Alaska have successfully implemented similar humpback whale observer monitoring programs. Copies of reports for two of these projects are enclosed for informational purposes, but should not be construed as NMFS' endorsements of the contractors involved. Encountering a humpback whale while pile driving for this project is possible, but unlikely, because the area is not recognized as a major humpback whale concentration area.

Provided that you implement the measures described above, the project is unlikely to adversely affect listed species under our jurisdiction. Additionally, dredging of the LTF to remove bark and debris may have an indirect beneficial effect on listed species by improving habitat available to their prey species.

The scoping meeting emphasized the need to complete project environmental review in a timely manner to meet project goals and no in-water work windows. NMFS hopes this letter provides assistance towards meeting that goal. Please contact Linda Shaw at (907) 586-7510 if you have any questions regarding these comments.

Sincerely,



James W. Balsiger
Administrator, Alaska Region

Enclosures: Pile Driving/Humpback Whale Protection Reports (2)

cc: Lizette Boyer (Corps)

ADEC, AADGC, ADNR, USFWS, Juneau

ADNR, Petersburg

LITERATURE CITED

Richardson, W.J., C.R. Greene, C.I. Malme, and D.H. Thomson. 1995. Marine Mammals and Noise. San Diego, CA Academic Press. 576pp.

Reserarch Planning, Inc. (RPI). 1992. Sensitivity of Coastal Environments and Wildlife to Spilled Oil, Southeast Alaska, Biological Resources (Volume 2). Prepared for Hazardous Materials Reponse and Assessment Division, National Oceanic and Atmospheric Adminsitration, Seattle, WA by RPI, P.O. Box 328, Columbia, SC, 39202.