



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

February 20, 2003

Colonel Steven T. Perrenot
District Engineer, Alaska District
Army Corps of Engineers
Regulatory Branch (1145b)
P.O. Box 898
Anchorage, Alaska 99506-0898

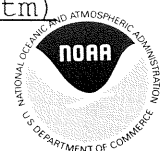
RE: Ref # O-1992-0500
Waterway: Tongass Narrows 487

Attn: Mr. Steve Duncan

Dear Colonel Perrenot:

The National Marine Fisheries Service (NMFS) has reviewed the referenced permit application. The applicant proposes to modify an existing permit to allow installation of a 40' X 60' floating workshop for a boat building project. In a phone conversation on February 12, 2002, Mr. Steve Duncan of the Corps indicated that the floating structure will not ground at any tidal stage and that the structure is located in deep water. Mr. Duncan further indicated that the applicant has limited upland space to accommodate the building and placement of the carpenter shop. Further, the proposed structure will approximate a north-south orientation, which will minimize shading effects to substrates below.

NMFS has considered the potential impacts of the project to Essential Fish Habitat (EFH) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). The Alaska Department of Fish and Game has cataloged various anadromous fish streams located approximately 1-6 miles from the project site. They support runs of mostly pink, chum, and coho salmon, but include chinook and steelhead trout as well (Ketchikan Quad B-5 and B-6, #101-47-10250, Ketchikan Creek, 101-27-10200, Hoadley Creek, -10180, Carlanna Creek, -10400, Government Creek). The in-shore area of Tongass Narrows is therefore used by juvenile salmonids during spring and early summer for feeding and predator avoidance prior to migration out to sea. The narrows also provide important habitat for a number of marine species including: dusky rockfish, flounders, Pacific cod, Pacific ocean perch, shortraker roughey rockfish, sablefish, skates, walleye pollock, and halibut. (See NOAA/NMFS AK Region EFH mapping website accessible at: <http://www.fakr.noaa.gov/maps/default.htm>)



NMFS is concerned that waste associated with carpentry activities, including sawdust, wood chips, cleaners, adhesives, paints or other potentially toxic substances could enter the waters of Tongass Narrows unless procedures are implemented by the applicant to dispose properly of such substances at upland disposal facilities. In addition, the float base should be constructed to ensure that no openings allow the inadvertent loss of such materials to the marine environment. Release of these substances could cause smothering of benthic habitats, and introduce toxic substances to vulnerable early life stages of fish and other aquatic organisms.

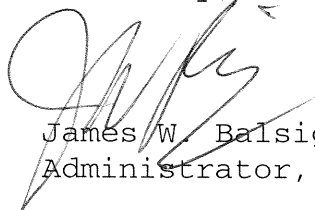
The MSFCMA requires NMFS to make conservation recommendations regarding any Federal action that would adversely affect EFH. We offer the following as our EFH Conservation Recommendations under the MSFCMA, and as our recommendations under the Fish and Wildlife Coordination Act.

1. The Corps should develop an appropriate permit condition to ensure proper handling and disposal of waste products associated with carpentry activities to avoid release of these materials to the marine environment.
2. Any wooden components of the float should not be treated with surface-applied creosote or pentachlorophenol. These substances are known to be toxic to juvenile fish.

Under section 305(b)(4) of the MSFCMA, the Corps is required to respond to NMFS EFH recommendations in writing within 30 days. If the Corps will not make a decision within 30 days of receiving NMFS EFH Conservation Recommendations, the Corps should provide NMFS with a letter within 30 days to that effect, and indicate when a full response will be provided.

If you have any further questions please contact Linda Shaw at 907-586-7510.

Sincerely,



James W. Balsiger
Administrator, Alaska Region

cc: EPA Anchorage (Mark Jen)
USFWS ADEC, ADGC, ADNR, Juneau
ADF&G, Ketchikan
Mr. Dale Philman, applicant