UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

November 16, 2003

Jerry O. Ruehle
Environmental Coordinator
Alaska Department of Transportation
and Public Facilities
4111 Aviation Drive
P. O. Box 196900
Anchorage, Alaska 99519-0473

Re: Stariski Creek Bridge Plan
State Project No. 56932

Attn: Rick Raymond

Dear Mr. Ruehle:

This letter is in response to recent correspondence from the Alaska Department of Transportation and Public Facilities (ADOT&PF) requesting information from the National Marine Fisheries Service (NMFS) for the above referenced project. The first request dated October 7, 2003, was a request for Scoping Comments. The second request dated October 13, 2003, was an EFH Assessment. Both requests were for the same project along the Sterling Highway at Stariski Creek.

ADOT&P, in cooperation with the Federal Highways Administration (FHWA), is proposing to replace the existing culverts at Stariski Creek. The Stariski Creek Bridge consists of twin 10-foot diameter by 25-foot long structural plate culverts with half headwalls. The northernmost end of the two culverts was damaged during the Fall 2002 flood event resulting in a perched outlet. The second pipe is in poor condition with a corroded bottom invert and perched outlet. The perched pipes have become barriers to fish passage and do not meet hydraulic and design standards. The proposed project will remove the culverts and replace them with a new two-lane 135 foot long by 43 wide single span pre-stressed concrete bulb-tee bridge. The proposed improvements will occur entirely within the existing ADOT&PF right-of-way.

Stariski Creek is listed as an anadromous stream (Alaska Department of Fish and Game Anadromous Stream Catalog) and provides for the migration, spawning, rearing, and/or over-wintering of chinook salmon, pink salmon, and coho salmon. Dolly Varden and steelhead trout also use the stream for migration and rearing habitat.

Under Section 305(b)(2) Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) Federal agencies are required to consult with the Secretary of Commerce regarding any action that may adversely affect EFH. Federal agencies must prepare an EFH Assessment for any action that may adversely affect EFH. The EFH Assessment may be a separate document or clearly referenced in a support document, such as an environmental

assessment (EA) or an environmental impact statement for the project. An EFH Assessment is outlined in (50 CFR Part 600.920(e) and includes the mandatory contents: (i) a description of the action, (ii) an analysis of the effects on EFH, (iii) the agency's conclusions regarding the effects of the action on EFH, and (iv) proposed mitigation, if applicable.

ADOT&PF has determined that the project may adversely affect EFH. NMFS agrees with this determination. In accordance with 50 CFR 600.920(f), consultation and commenting under sections 305(b)(2) and 305(b)(4) of the Magnuson-Stevens Act should be consolidated, where appropriate, with interagency consultation, coordination, and environmental review procedures required by other statutes such as the Fish and Wildlife Coordination Act (FWCA) and NEPA. To streamline the environmental review process, NMFS is providing both our agency scoping comments and our response with EFH conservation recommendations.

Accordingly, we concur with ADOT&PF's proposed conservation recommendations and offer the following conservation recommendations in addition pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act and the FWCA.

(1) Areas of direct disturbance should be limited to as small an area as possible. If disturbance should occur outside the permitted area, appropriate remediation such as revegetation with native species should be required.

Rationale: Minimizing the footprint of the proposed project will decrease direct and indirect impacts to living marine resources and EFH.

(2) Work in wetland areas should maintain existing circulation and drainage patterns.

Rationale: Sedimentation from runoff can smother spawning gravels and destroy rearing habitat for salmonids. Contiguous surrounding wetlands serve to filter runoff and trap sediments before reaching the main stream channel.

Under Section 305(b)(4) of the Magnuson-Stevens Act, the Federal action agency is required to respond to NMFS EFH recommendations in writing within 30 days. We look forward to your response on behalf of the FHWA. If ADOT&PF does not make a decision within 30 days of receiving NMFS EFH Conservation Recommendations, ADOT&PF should provide NMFS with a letter to that effect, and indicate when a full response will be provided. Brian Lance is the NOAA Fisheries contact for this project, and can be reached by telephone at (907) 271-1301.

Sincerely,

For James W. Balsiger
Administrator, Alaska Region

cc: Travis/Peterson Environmental Consulting, Inc.
3305 Arctic Boulevard, Suite 102
Anchorage, Alaska 99503

EPA, USFWS, DEC, DNR/OHMP in Anchorage