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

December 2, 2004

Theresa Svancara
Project Environmental Coordinator
Alaska Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, Alaska 99801-7999

RE: Hoonah Seaplane Float Replacement
State Project 68348

Dear Ms. Svancara:

The National Marine Fisheries Service (NMFS) reviewed the Alaska Department of Transportation and Public Facilities' (DOT&PF) November 4, 2004, request for comments on a proposal to construct a new seaplane float and associated access road and parking improvements in the small boat harbor, near the Hoonah, Alaska. The seaplane float and gangway float decks would be constructed with glulam timbers supported by coated expanded polystyrene flotation. The deck timbers would be treated with copper naphthenate in heavy oil with .6 ACZA 2 X 10 wear decking over the glulams. Underlying stringers and framing members would be treated with creosote. The floats would be held in place by 5 dolphins, each dolphin consisting of 3 steel piles. An open grate gangway capable of accommodating motor vehicles would provide access to the float. The access road and associated parking for the seaplane facility will be built on an existing rubble mound breakwater and minimize fill. However, approximately 0.8 acres would still need to be filled (0.7 acres below High Tide Line). The volume of the intertidal fill would be about 11,400 cubic yards.

We offer the following comments specific to the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

Essential Fish Habitat

Section 305(b) of the MSFCMA (16 USC 1855 (b)) requires federal agencies to consult with NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated EFH.

The Alaska Department of Fish and Game (ADF&G) anadromous waters catalogue lists several catalogued anadromous fish streams near Hoonah. These streams are: 114-31-1080 (pink and coho salmon and Dolly Varden char); 114-31-10090 (pink, chum and coho salmon and Dolly Varden char); 114-31-10100 (coho salmon); and 114-31-10130 (pink, chum and coho salmon, sutthroat trout, and Dolly Varden char). Nearshore habitats are particularly important to juvenile

salmon migrating as fry or smolts from fresh water to salt water in the spring and summer. Juvenile salmon use nearshore marine habitats in spring and early summer for feeding and predator avoidance prior to migration out to sea.

The inshore area of the project location also provides important habitat for several marine species. Additional MSFCMA species in the area may include the following groundfish species: Pacific cod, Pacific ocean perch, walleye pollock, dusky rockfish, shortraker rockfish, yelloweye rockfish, rougheye rockfish, sablefish, arrowtooth flounder, rex sole ,skates, sculpins, and various forage fish.

The MSFCMA requires NMFS to make conservation recommendations regarding any federal or state agency action that would adversely affect EFH. Accordingly, we offer the following EFH Conservation Recommendations:

1 We recommend that construction activities not be conducted during periods of peak use by juvenile salmonids and herring. No in-water work should be permitted from March 15 through June 15 to protect out migrating salmon and rearing salmonid smolts and to reduce the potential impact to schooling and spawning herring.

2 Pile-driving can disrupt migration and cause physical damage to fish. To the extent possible, drive piles during low tide periods in intertidal and shallow subtidal areas to prevent injuries to fish. We support your planned use of a vibratory hammer to drive the steel piles and only using an impact hammer to proof each piling at bearing depth. Under those conditions where impact hammers are required for reasons of seismic stability or substrate type, we recommend that the piles be driven as deep as possible with a vibratory hammer prior to the use of the impact hammer. A block of wood placed between the impact hammer and the piling is recommended to attenuate the sound. If peak sound pressure levels from deepwater pile driving exceed the threshold for injury to fish (which is unlikely if small diameter piles are used) implement measures to reduce sound pressure such as: surrounding the pile with an air bubble curtain, using a smaller hammer to reduce the sound pressure, or using a hydraulic hammer if impact driving cannot be avoided.

3 Alternatives to treated wood that have no or reduced toxicity should be used wherever practicable. 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). 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.

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). 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. Pentachlorophenol has high chronic toxicity to aquatic life. If viable alternatives exist, the float should not be constructed with wood that has been surface or pressure-treated with creosote or treated with pentachlorophenol. Alternatives may include using a metal or concrete float. NMFS understands that ADOT&PF may not have a viable alternative to the use of creosote for this project. If this is the case, creosote is a less toxic alternative than pentachlorophenol.

4 All cutting and boring of treated wood should take place in upland areas; all waste materials should be kept out of the aquatic environment. Any cut wood, chips or sawdust from treated wood materials should be collected and disposed of at an acceptable upland site.

5 No portion of the float may ground at any tidal stage

6 NMFS recommends that reasonable precautions be taken to prevent incidental and accidental discharge of petroleum products and other contaminants. A dock-side emergency oil spill response kit or other appropriate equipment should be made available to allow fast response to any accidental discharge of petroleum hydrocarbons and other contaminants.

7 Under the Clean Water Act Section 404 (b)(1) Guidelines (40 CFR 230), the Corps can only permit the least environmentally damaging practicable alternative for a proposed discharge of fill into jurisdictional wetlands or waterways. NMFS recommends that DOT& PF evaluate and fully consider options to avoid and further minimize the extent of the fill necessary for the access road and seaplane parking. These options could include building on pile supported structures, or providing parking accommodations on the existing fill or in adjacent uplands.

Upon receipt of these EFH Conservation Recommendations, the MSFCMA requires the Federal Highway Administration to respond to NMFS within 30 days informing us of the agency's decision regarding these recommendations.

Threatened and Endangered Species/ Marine Mammals

The project is within the range of endangered humpback whales and threatened Steller sea lions, as well as harbor porpoises, harbor seals and killer whales, which are protected under the Marine Mammal Protection Act (MMPA). The MMPA and the Endangered Species Act prohibit the injury, harm or harassment of marine mammals.

Pile driving introduces high levels of noise into the water column, with the potential to harass or injure marine mammals. Received sound levels in the range of 130-135 decibels have been measured up to one kilometer from a pile driver (Johnson et. al., 1986). Humpback whales,

killer whales, Steller sea lions, harbor seals, and harbor porpoises may occur in the project area and could be affected by this work. To reduce the possibility for harassment or injury to marine mammals, NMFS recommends that pile driving not occur if any marine mammals are observed within 200 meters of the platform. The operator must scan the area for the presence of marine mammals. If marine mammals are sighted within 200 meters of the sound source pile driving must cease until the animals leave the immediate area.

Proposed Project Mitigation

NMFS supports the mitigation DOT&PF proposed in your November 4, 2004, letter including: working during recommended timing windows, use of Best Management Practices for construction, using the vibratory driving method for the majority of each pile driven and compensatory mitigation for any unavoidable intertidal fill. NMFS does not have recommendations for compensatory mitigation at this time, but we are willing to work with DOT&PF to identify potential projects in Hoonah if impacts cannot be avoided and compensatory mitigation is necessary.

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

Sincerely,

James W. Balsiger
Administrator, Alaska Region

cc: USFWS, Juneau
EPA, Juneau
ADNR-OHMP, Juneau
ADF&G, Tom Schumacher, Juneau
NMFS, Protected Resources, Kaja Brix

References:

Johnson, S.R., C.R. Greene, R.A. Davis, and W.J. Richardson. 1986. Bowhead whales and underwater noise near the Sandpiper Island drillsite, Alaskan Beaufort Sea, autumn 1985, Reprinted by LGL Limited Environmental Research Associates, King City, Ontario, and Greeneridge Sciences, Inc., Santa Barbara, CA, for Shell Western Exploration & Production Inc., Anchorage, AK. 130p.

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