



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

January 8, 2004

Colonel Timothy J. Gallagher  
District Engineer, Alaska District  
Corps of Engineers  
P.O. Box 898  
Anchorage, AK 99506-0898

RE: Sitka Sound 279  
1-2003-1408

Attn: Mr. Carlos Paez

Dear Colonel Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the permit application by Mr. Phil Younger to construct a 40' X 6' floating dock, accessed by an elevated walkway and a ramp, approximately 200 feet long, on Apple Island near Sitka, Alaska. The work would include driving twenty steel piles. The purpose of the project is to provide water access to Apple Island for a tourism business.

Sitka Sound is a biologically significant area containing numerous anadromous fish streams, Pacific herring spawning activity and concentrations of endangered humpback whales. Anadromous fish streams supporting pink, chum and coho salmon and Dolly Varden char are located within two miles of the project site (ADF&G catalog stream #113-41-10180, and -10185, Sitka Quad A-4). The applicant has incorporated several measures to minimize impacts of the project, including a light penetrating ramp above the eelgrass, and designing the dock to avoid grounding. We support these measures. In addition, we offer the following Essential Fish Habitat (EFH) conservation recommendation:

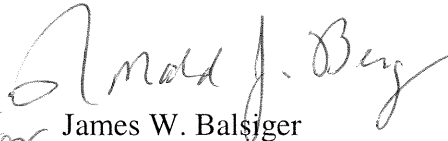
No pile driving should be conducted from March 15 to May 31. Driving the twenty steel pilings is likely to cause underwater noise that could disturb or injure out-migrating juvenile salmonids, or displace fish attracted to the eelgrass band. Pile driving can generate intense underwater sound pressure waves that have been shown to injure and kill fish through swim bladder rupture, internal hemorrhaging and auditory system damage (CalTrans, 2001; Abbott and Bing-Sawyer, 2002; Stadler, pers. obs., 2002).

Please note that under Section 305 (b)(4) of the Magnuson-Stevens Fishery Conservation and Management Act, the Corps is required to respond to EFH Conservation 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 questions regarding our comments, please contact Linda Shaw of my staff at (907) 586-7510.

Sincerely,

  
For James W. Balsiger  
Administrator, Alaska Region

cc: Mr. Phil Younger, applicant  
ADEC, ADNR, USFWS, Juneau  
FAX to COE 907-753-5567

## Literature Cited

Abbott, R. And E. Bing-Sawyer. 2002. Assessment of pile driving impacts on the Sacramento blackfish (*Othodon microlepidotus*). Draft report prepared for Caltrans District 4. October 10, 2002.

Caltrans. 2001. Fisheries Impact Assessment, Pil Installation Demonstration Project for the San Francisco - Oakland Bay Bridge, East Span Seismic Safety Project, August 2001, 59pp.

Stadler, J.H. 2002. Personal observation of fish-kill occurring during pile driving activity at the Winslow Ferry Terminal, Winslow, WA. October 7, 2002. Fish Biologist, DOC/NOAA/National Marine Fisheries Service/HCD, Lacey, Washington.