



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

January 27, 2006

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

Re: POA-2005- 1945-4
Wrangell Narrows

Attn: Ms. Shannon Hanson

Dear Colonel Gallagher:

The National Marine Fisheries Service (NMFS) reviewed the January 3, 2006, public notice of application for permit for the proposal by Island Ventures to construct a commercial fill pad in close proximity to Wrangell Narrows for storage of bait houses and crab pots. Bait houses would be transported by crane truck from seine boats to the storage pad. The applicant states that establishment of the storage area at a larger existing fill pad northwest of the proposed fill location is not practical and the applicant has other planned uses for the existing pad. The project as proposed would place up to 3,000 cubic yards of rock fill in 0.92 acres of forested and muskeg wetlands. The Alaska Department of Fish and Game anadromous waters catalogue stream # 106-44-10020, catalogued for coho salmon rearing, is adjacent to the proposed fill pad. The public notice states that a minimum distance of 78 feet would be maintained between the creek and the proposed new fill locations.

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act requires Federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make conservation recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects.

NMFS offers the following EFH Conservation Recommendation pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act:

The Corps should condition the permit to minimize sediment entering the anadromous stream. These measures include maintaining the 78 foot buffer as a no disturbance area, avoiding construction during periods of heavy precipitation, and using silt fences or other erosion control measures.

Under section 305(b)(4) of the Magnuson-Stevens Act, 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 Recommendation, 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 and conservation recommendations for this project please contact Cindy Hartmann at (907) 586-7585.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

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