



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

July 28, 2006

Colonel Kevin J. Wilson
District Engineer
U. S. Army Corps of Engineers
Anchorage, AK 99506-0898

RE: POA -2006-784-4
Wrangell Narrows

Attn: Ms. Serena Sweet

Dear Colonel Gallagher:

The National Marine Fisheries Service (NMFS) reviewed the June 30, 2006, public notice of application for permit for the above referenced proposal by Mr. Phillip Meeks for work near Petersburg, Alaska. Mr. Meeks proposes to construct a shot-rock fill pad access road that would provide access to a single-family residence for the applicant as well as a subdivision development that would be constructed in the future. Future development at the site would include subdivision of the property into five single-family residential lots. The applicant proposes to allow each future property owner to apply for and obtain individual authorizations for each lot from the Corps. Mr. Meeks is proposing placement of 4,793 cubic yards of shot rock and gravel in 0.435 acres of forested wetlands to construct a 465 foot by 26 foot wide access road with a 24 foot by 40 foot landing and a 40 foot diameter circular shaped turnaround. Four culverts would be placed to maintain natural drainage patterns at the site.

We offer the following comments specific to the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). 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. Accordingly, we offer the following EFH Conservation Recommendation:

Any future construction of residences should avoid the use of an outfall pipe for sewage. Development plans should be designed to accommodate a wastewater septic system. State regulations for drain fields require a separation distance of 100 feet from mean high water. For a three-bedroom home approximately, 400 - 450 square feet of land is needed for the drainage bed. A 10-foot by 40-foot absorption bed with the appropriate engineered fill slope would encompass approximately 28 by 68 feet on flat ground.

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. A septic



system may be less damaging than the proposed outfall, and is practicable in most situations.

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

If you have any questions regarding our comments and conservation recommendations for this project, please contact Cindy Hartmann at 907-586-7585 or at cindy.hartmann@noaa.gov.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: Mr. Phillip Meeks, P.O. Box 1514, Petersburg, AK 99833-1514
Mr. Ken Elmore, P.O. Box 371, Petersburg, AK 99833
*EPA Juneau, Chris Meade
*ADNR, Petersburg, Jim Cariello
*USFWS, Juneau, Richard Enriquez and Bill Hanson
*ADF&G, Tom Schumacher, Juneau
*Ms. Serena Sweet
Alaska Department of Environmental Conservation, Domestic Wastewater Program

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