



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

March 29, 2006

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

Re: POA-2006-275  
Shakan Bay and Dry Pass

Attn: Carlos Paez

Dear Colonel Gallagher

The National Marine Fisheries Service (NMFS) has reviewed the above referenced proposal to place two mooring buoys; one each in Shakan Bay and Dry Pass. The mooring buoys would be used to provide intermittent and temporary moorage of log rafts.

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 potential adverse effects. Shakan Bay and Dry Pass provide habitat for several marine species including: yelloweye rockfish, sculpin, rex sole, walleye pollock, sablefish, flathead sole, rex sole, Pacific ocean perch, Pacific cod, sculpin, dusky rockfish, shortraker and roughey rockfish, skate, and arrowtooth flounder. Several catalogued salmon streams are in the vicinity of the two proposed buoy sites. Juvenile salmon use Shakan Bay and Dry Pass during spring and early summer for feeding and predator avoidance prior to migration out to sea.

The water depths at both of the proposed moorage sites is less than 40 feet at mean lower low water (MLLW). As a result, the proposed sites do not meet the Alaska Timber Task Force Siting Guidelines for Log Transfer Facilities and log raft storage areas. The proposed moorage in Shakan Bay could meet the siting guidelines if the buoy was relocated outside the 6 fathom contour shown on sheet 1/2 of the permit application. The water depths at the proposed Dry Pass site are extremely shallow ranging from ½ to 3 fathoms. This area is not recommended for log storage because of the extremely shallow depths and poor flushing for bark dispersion.

NMFS has determined that the project, as proposed, may adversely affect EFH. We offer the following EFH Conservation Recommendations pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act:


1. The proposed Shakan Bay buoy should be relocated outside the 6 fathom contour in water that is a minimum of 40 feet deep at MLLW.
2. The proposed Dry Pass buoy should be relocated to the east of Aneskett Point in water that is a minimum of 40 feet deep at MLLW.



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 Recommendations, the Corps should provide NMFS with a letter within 30 days to that effect, and indicate when a full response will be provided.

Please contact Katharine Miller at (907) 586-7643 if you have any questions.

Sincerely,

*for*   
Robert D. Mecum  
Acting Administrator, Alaska Region

Enclosure

cc: Applicant  
EPA Juneau, Chris Meade  
ADNR - Mark Minnillo  
USFWS - Richard Enriquez

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