



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

October 31, 2006

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

Re: POA-1974-312-N  
George Inlet

Attn: Nicole Hayes

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced proposal by Ms. Patricia Shaughnessy to construct a 1,100 square foot addition to an existing building. The structure would be supported by twenty-nine (29) galvanized steel or treated timber piles placed below the high tide line; twenty (20) of these piles would be placed below mean high water. Piles would be pinned to bedrock or set on 2-foot by 2-foot by 1-foot concrete blocks.

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires federal agencies to consult with NMFS on all actions that may adversely affect Essential Fish Habitat (EFH). NMFS is required to make EFH Conservation Recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects. The Alaska Department of Fish and Game's Anadromous Waters Catalog identifies several streams to the north and south of the project site. Juvenile salmon use inshore areas during spring and early summer for feeding and predator avoidance prior to migration out to sea.

In accordance with Section 305(b)(4)(A) of the MSA, NMFS makes the following EFH Conservation Recommendations:

1. No in-water work should be permitted from April 1 through June 15 of any year to protect out-migrating salmon.
2. Use galvanized steel piles. If wood piles are used, piles that are surface or pressure-treated with creosote or treated with pentachlorophenol should be prohibited. If treated wood must be used, any wood that comes in contact with water 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). Use wood treated with waterborne preservatives in accordance with Best Management Practices developed by the Western Wood Preservers



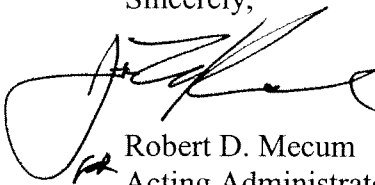
Institute. Treated wood should be inspected before installation to ensure that no superficial deposits of preservative material remain on the wood.

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

Under section 305(b)(4) of the Magnuson-Stevens Act, the Corps is required to respond to NMFS 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 recommendations for this project, please contact John Hudson (907-586-7639).

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

cc: Applicant  
EPA Juneau, Chris Meade\*  
ADNR, Mark Minnillo\*  
ADEC, USFWS, Juneau\*

\* e-mail PDF