



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

September 5, 2006

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

Re: POA-2006-1418-2  
Tongass Narrows

Attn: Robin Leighty

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced proposal by Survey Point Holdings to demolish and remove an existing dock, warehouse and packing facility over Tongass Narrows and construct approximately 600 feet of open cell sheet-pile bulkhead with ten (10) 36-inch fender piles, and 120 feet of concrete retaining wall. The project would discharge approximately 77,000 cubic yards of shot rock, sand, and gravel behind the bulkhead into approximately 2.04 acres below the high tide line. Approximately 57,200 cubic yards of fill would be placed into 1.72 acres below mean high water to create a 405-foot long by 304-foot wide filled dock. A 205-foot long 48-inch culvert would extend through the fill from beneath Tongass Avenue. In addition the proposed berthing facility would place below mean high water three breasting/spring dolphins, two mooring dolphins, a 12-foot wide by 130 foot long transfer bridge attached to a 600 square foot float supported by two 36-inch piles, a 14-foot wide by 200-foot long tendering float, two 6-foot wide by 80-foot long gangways, and a 143-foot long, 104-foot long and a 191 foot long 4-foot wide catwalk. The project would allow for the construction of a new cruise ship dock, Berth IV, through a Memorandum of Agreement between the City of Ketchikan and Survey Point Holdings that accommodates Panamax class (1,000 foot length) cruise ships, adjacent ground transportation, commercial retail and residential development.

We offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA).

#### Essential Fish Habitat

Section 305(b) of the Magnuson-Stevens 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.

The site was visited by NMFS staff and characterized as low value habitat due to the lack of vegetation from low light conditions, presence of old decaying pilings and prevalent debris and



garbage, and the presence of only a few inter-tidal organism species (barnacles and starfish) in low numbers. Nevertheless, juvenile salmon use the inshore area of Tongass Narrows during spring and early summer for feeding and predator avoidance prior to migration out to sea. The inshore area of the project location also provides important habitat for several marine species including arrowtooth flounder, Pacific cod, sablefish, sculpins, walleye pollock, yellow rockfish, and Pacific Ocean perch.

Accordingly, we offer the following EFH Conservation Recommendation pursuant to Section 305(b)(4)(A) of the Magnuson-Stevens Act.

No in-water work should be permitted from March 1 through June 15 of any year to protect out migrating salmon and spawning herring.

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.

#### Threatened and Endangered Species/Marine Mammals

The project is within the range of endangered humpback whales and threatened Steller sea lions, as well as harbor porpoises, harbor seals and killer whales, which are protected under the MMPA. The MMPA and the ESA prohibit the injury, harm or harassment of marine mammals.

The public notice states that the project would include pile driving for the installation of mooring and breasting dolphins. Noise from pile driving has the potential to adversely affect marine mammals, should they occupy the project area during pile driving. The existing authorization for Berth IV (POA-1922-22-Y), issued on March 27, 2006 to the City of Ketchikan included special conditions for timing and type of pile driving and the provision of a marine mammals observer that would apply to this project proposal. NMFS concurs with the use of these special conditions for this project.

If you have any questions regarding our comments and conservation recommendations for this project, please contact Linda Shaw (907-586-7510).

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

cc: City of Ketchikan, 334 Front Street, Ketchikan, AK 99901

- \*Richard Enriquez, USFWS, Juneau
- \*Chris Meade, EPA, Juneau
- \* Mark Minello, ADNR-OHMP, Klawock
- \*Tom Schumacher, ADF&G, Juneau
- \*Kaja Brix, NMFS, Protected Resources Division, Juneau

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