



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

December 7, 2007

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

Re: POA-2007-1364-2
Wrangell Narrows

Attn: Mr. Joseph Connor

Dear Colonel Wilson;

The National Marine Fisheries Service (NMFS) reviewed the November 6, 2007, public notice of application for permit for the proposed work by Mr. Steve Lombard. The applicant proposes to fill approximately 0.46 acre of forested wetlands to construct a private residence, driveway, wastewater system, parking and storage pad, greenhouse, and a beach access trail. Four cubic yards of rip rap will be placed below ordinary high water for streambank stabilization. In addition, an off-shore mooring buoy and pulley retrieval system will be constructed. The project purpose is to construct a single family residence and accompanying structures and to stabilize and eroding stream bank.

We offer the following comments specific to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA). Section 305(b) of the MSFCMA 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 stream on the applicant's property is not designated as an anadromous fish stream in the Alaska Department of Fish and Game (ADF&G) anadromous waters catalogue. The stream mouth is located near the outer edges of the aleuvial fan from Falls Creek. At the stream mouth is a mud flat from extreme high tide to low tide. The stream gradient is approximately 10 – 15 percent for approximately eighty feet off the tide flat and then substantially increases in gradient from there to Mitkof Highway. The stream is approximately ten feet wide at bank full flow at the stream mouth and approximately three feet wide at the Mitkof Highway culvert (personal communication with Ken Elmore).

The project area is just north of Falls Creek, ADF&G anadromous waters catalogue number 106-44-10480. Falls Creek is a large stream system with pink, chum, sockeye, and coho salmon; cutthroat and steelhead trout; and Dolly Varden char. Juvenile salmon use nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea.



Additionally, the inshore area of the project location may provide important habitat for several marine fish species including dusky, shorttraker, yelloweye, and rougheye rockfish; arrowtooth flounder; Pacific cod; sablefish; walleye Pollock; rex sole; Pacific ocean perch; skates; sculpins; and various forage fish. Marine species near the project area may be adversely affected by increased sedimentation from construction activities.

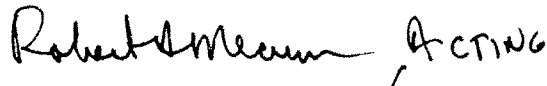
NMFS offers the following EFH Conservation Recommendations, pursuant to Section 305(b)(4)(A) of the MSFCMA to minimize impacts to water quality and EFH:

1. The project should be designed and constructed in a manner to minimize the transport of sediment into downstream marine waters. Sediment control measures such as silt fences and hay bales should be used during construction of the bank stabilization riprap slope.
2. NMFS recommends preparing an erosion and sediment control plan prior to implementing any construction. This plan should describe the management practices that will be used to control sediment runoff from construction activities and minimize impacts to water quality.

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.

If you have any questions regarding our recommendations for this project, please contact Cindy Hartmann at 907-586-7585.

Sincerely,



for Dr. James W. Balsiger
Administrator, Alaska Region

cc: Applicant: Mr. Steve Lombard, P.O. Box 1474, Petersburg, AK 99833
Agent: Mr. Kenneth Elmore, P.O. Box 371, Petersburg, AK 99833
EPA, Juneau, Chris Meade*
ADNR, Petersburg, Jim Cariello*
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