



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

30 July 2007

Colonel Kevin J. Wilson
District Engineer
U.S. Army Corps of Engineers
P.O. Box 6898
Anchorage, Alaska 99506-0898

Re: POA-2006-688-M
Tongass Narrows

Attn: Nicole Hayes

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced application by Talbot's Inc. to construct a platform concrete dock extension supported by twenty steel piles. The piles would be installed with an impact pile driver driven to bedrock. The stated purpose of the dock extension is to provide additional staging and storage areas for Talbot's customers. The proposed dock would replace an existing dock that currently is used for staging and storage, and the existing dock would be used for parking.

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 anadromous streams in the vicinity of Tongass Narrows. These streams support runs of pink, coho, and chum salmon. Juvenile salmon use nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea. In addition to Pacific salmon, the NMFS' Nearshore Fish Atlas indicates that the following MSA species utilize nearshore habitat in the vicinity of the project: sculpin, flatfish, forage fish species, and Pacific sand lance.

The proposed project would shift the existing dock operations seaward to provide parking for the float plane base permitted under POA-2006-688-1. The need for parking was not evaluated in the float plane base permit application. Parking is not a water-dependent use under Section 404 of the Clean Water Act. Furthermore, if parking is required for operation of the float plane base, the need for parking should have been evaluated during review of the float plane base permit application. It is possible that the need for additional parking was overlooked during the development of the float plane base permit application; however, the applicant has not demonstrated in this application that parking is needed or that options that would avoid or minimize the extent of the fill or dock surface area have been evaluated.



In accordance with Section 305(b)(4)(A) of the Magnuson-Stevens Act, NMFS offers the following conservation recommendation:

The request to construct a platform concrete dock extension for the purpose of providing parking for the float plane base should be denied. The applicant should evaluate options for the proposed parking that do not require the additional dock structures.

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.

Please contact Katharine Miller at 907-586-7643 or Katharine.miller@noaa.gov if you have any questions or for further coordination.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: Applicant
EPA Juneau, Chris Meade*
ADNR, Mark Minnillo*
USFWS Juneau, Richard Enriquez*
ADEC Juneau, Brenda Krauss*
OHMP, Erin Allee*

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