



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

September 22, 2008

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

Re: POA-2006-1446
Pederson Hill Creek

Attn: Randy Vigil

Dear Colonel Wilson:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced City & Borough of Juneau (CBJ) project. The project was previously authorized on September 19, 2006 (POA-2006-1446-D) by NWP 12, Utility Line Activities. The time limit to complete the work expired on March 12, 2008 prior to completion of the permitted activities, prompting a project review by NMFS. CBJ requests authorization to temporarily place approximately 2,050 cubic yards of soil into approximately 0.5 acres of palustrine emergent wetlands. The proposed work would consist of the excavation and temporary discharge of native wetland soil to form an approximately 800-foot long by 10-foot deep trench associated with the construction of a sewer line along Glacier Highway in Juneau. Excavated soil and vegetation would be replaced after construction. The wetlands that occur at the project location abut Pederson Hill Creek.

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 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 Streams Catalog indicates that Pederson Hill Creek supports coho salmon and Dolly Varden char. The section of stream immediately downstream of the project is important rearing habitat for coho salmon.

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

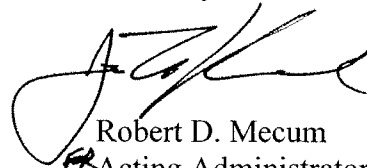
1. Soil rutting and compaction by construction equipment can alter wetland soils and hydrology. Equipment mats should be used to distribute the weight of construction equipment thereby minimizing soil disturbance near the pipeline trench and stream channels.
2. Silt screens should be placed across stream channels downstream of the area to be trenched.



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 at 907-586-7643 or john.hudson@noaa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mecum', written over a faint, illegible typed name.

Robert D. Mecum

Acting Administrator, Alaska Region

cc: Applicant
Neil Stickert, USFWS, Juneau*
Teri Camery, CBJ, Juneau*
Chris Meade, EPA, Juneau*
Joe Donohue, ACMP*
Jackie Timothy, ADNR*

* e-mail PD

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