



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

June 7, 2004

Theresa Svancara
Project Environmental Coordinator
Alaska Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, Alaska 99801-7999

RE: Egan Drive/10th Street Intersection Capacity
Improvements Phase I
EFH Assessment for Navigation Clearance Gauge

State Project No. 70168
Federal Project No. NH-F-093-2(29)

Dear Ms. Svancara:

The National Marine Fisheries Service (NMFS) has reviewed the Department of Transportation and Public Facilities (DOT), May 26, 2004, Essential Fish Habitat (EFH) Assessment for the replacement of the navigation clearance gauge under the Douglas Bridge in Juneau, Alaska. We offer the following comments specific to the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA).

Essential Fish Habitat

Section 305(b) of the MSFCMA (16 USC 1855 (b)) requires federal agencies to consult with NMFS when any activity proposed to be permitted, funded, or undertaken by a federal agency may have an adverse effect on designated EFH. DOT's EFH assessment determined that the project, including conservation measures that will be incorporated, would have no substantial adverse individual or cumulative effects on EFH in the project area. DOT incorporated the following measures to minimize impacts:

- The amount of concrete poured below high tide would be minimized by placing the new gauge over the footprint of the existing gauge.
- Intertidal work would occur at lower tides, when the work area is mostly de-watered. Some inwater work would be required however as the lower end of the gauge is at -5 foot elevation.
- The scope of operations would be scaled to the time available in the tidal cycle.

The MSFCMA requires NMFS to make conservation recommendations regarding any federal or



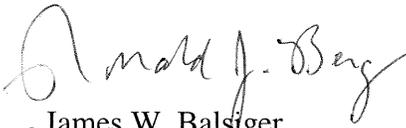
state agency action that would adversely affect EFH. Accordingly, we offer the following additional EFH Conservation Recommendations:

1. In-water construction should not be conducted during March 15 - June 15 to protect spawning and rearing herring and migrating juvenile salmonids.
2. The existing timber gauge should be disposed of in an appropriate upland site

Upon receipt of these EFH Conservation Recommendations, the MSFCMA requires the DOT to respond to NMFS within 30 days informing us of the agency's decision to implement these recommendations.

If you have any questions regarding our comments and conservation recommendations for this project, please contact Cindy Hartmann (586-7585, cindy.hartmann@noaa.gov).

Sincerely,


For James W. Balsiger
Administrator, Alaska Region

cc: Janet Hall Schempf, ADF&G, (P.O. Box 25526, Juneau, AK 99802-5526)
USFWS, Juneau
EPA, Juneau
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