UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

June 18, 2004

Colonel Timothy J. Gallagher
District Engineer, Alaska District
U.S. Army Corps of Engineers
P. O. Box 898
Anchorage, Alaska 99506 -6898

Re: POA-2004-282-2
Prince William Sound
Water World L.C.C.

Attn: Steve Meyers

Dear Col. Gallagher:

The National Marine Fisheries Service (NMFS) has reviewed the above referenced public notice regarding a proposal by Water World L.C.C. to place a commercial floating lodge, a fuel barge (for commercial sale of fuel), and docking facilities in Herring Bay, Prince William Sound.

The Corps of Engineers (Corps) has determined that the described activity will not adversely affect Essential Fish Habitat (EFH). Prince William Sound includes EFH for walleye pollock, Pacific cod, sablefish, Atka mackerel, rock sole, sculpins, and chum, coho, Chinook, pink, and sockeye salmon. All of these federally managed species are found in these waters during certain stages of their life history. The proposed project has the potential to adversely affect EFH for these species.

In order for NMFS to complete our assessment of the potential impacts of this project, we require additional time to research the marine environmental conditions at the site, including discussions with scientists and other resource agency personnel. The public notice comment period ends June 21. Mr. John Klutz, COE project manager, has been out of town since June 7 and will not return until June 23, and therefore has not been available to discuss our concerns or obtain additional information regarding site selection and anchoring, seasonality of use, anticipated level of use, processing of gray water, storage of fuel, and fueling operations. NMFS requests a meeting of the appropriate federal and state resource agencies to clarify issues with the proposed project. Scheduling for this meeting will require additional review time.

Accordingly, we request that the public notice comment period be extended for 30 days. Should you be unable to grant this request, we must recommend denial of the permit pursuant to Part IV, Paragraph 3(a) of the 1992 404(q) Memorandum of Agreement between our agencies. Based on the limited available information, NMFS concludes that this project may have a substantial and unacceptable impact on aquatic resources of national importance.

We look forward to working with you to address the issues discussed above and are willing to meet with the applicant to discuss our concerns. Questions regarding this time extension request should be directed to Brian Lance at our Anchorage field office, telephone (907) 271-1301.

Sincerely,

James W. Balsiger
Administrator, Alaska Region

cc: ADEC, ADFG, ADNR-OHMP, ADGC, EPA, USFWS – Anchorage
USCG-Juneau
Applicant: Bob Burnett, Water World L.C.C., 525 West 54th Ave., Anchorage, AK 99518