



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

November 8, 2024

Colonel Jeffrey Palazzini, District Commander  
U.S. Army Corps of Engineers  
Regulatory Division  
P.O. BOX 6898  
JBER, AK 99506-0898

Re: Cargo Terminals Replacement, POA-2003-00502-M21; NMFS ECO Reference No. AKRO-2024-02661

Dear Colonel Palazzini:

The National Marine Fisheries Service has reviewed the Essential Fish Habitat (EFH) Technical Report submitted to us on October 15, 2024, regarding the above referenced project. The purpose of the project is to replace deteriorating port marine terminal structures and facilities to provide safe, reliable, and cost effective operations at the Port of Alaska (POA) located at Anchorage, Alaska. The proposed scope of work includes the replacement of two obsolete cargo terminals with modern terminals and the demolition, and replacement of, a deteriorated oil terminal. The proposed port improvements are designed to be seismic and corrosion resilient with a 75-year service life. The project would require the installation of 334 permanent piles and 588 temporary piles in-water over 6 years. The construction of a work pad will result in the permanent elimination of 3.6 acres of designated EFH.

Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act require federal agencies to consult with us on all actions that may adversely affect EFH and other aquatic resources. The consultation process is guided by the regulation at 50 CFR 600 Subpart K, which mandates the preparation of EFH assessments and outlines each agency's obligations. In support of this process, you provided a notice of the proposed action, an assessment of effects, and your agency's conclusion regarding impacts on EFH. After reviewing your conclusions and the provided project information, we offer the following comments and recommendations.

### **Essential Fish Habitat**

The North Pacific Fishery Management Council has identified EFH for nearshore marine waters in the vicinity of the POA for Chinook, chum, pink, sockeye, and coho (NPFMC 2024). Additionally, the Alaska Department of Fish and Game's Anadromous Waters Catalog identifies three anadromous streams (Ship Creek, Chester Creek, and Fish Creek) in the vicinity of the POA. These streams support runs of all five species of Pacific salmon (Giefer and Graziano 2024). Juvenile salmon use nearshore habitat during spring and early summer for feeding and predator avoidance prior to migration out to sea.



The proposed project location is also designated as EFH for Alaska plaice, flathead sole, yellowfin sole, Dover sole, northern rock sole, Pacific cod, southern rock sole, and walleye pollock (NPFMC 2024). In addition, the [Nearshore Fish Atlas of Alaska](#) (NMFS 2021) indicates that the following species use nearshore habitat in the vicinity of the project: Pacific cod, saffron cod, eulachon and other Pacific salmon prey species.

### **Assessment of Effects to EFH**

Your agency has concluded that the proposed project activity may adversely affect EFH in the project area. Federal regulations define an adverse effect as “any impact that reduces the quality and/or quantity of EFH” (50 CFR 600.810(a)). Based on our review, we agree that the described activities may adversely affect EFH and aquatic resources. Impacts to EFH and federally managed species from proposed activities include the permanent loss of EFH, fish injury or mortality due to pile installation and removal, disruption to fish behavior and movement, reduction in habitat quality and modification of habitat function, increased turbidity and decrease habitat quality, re-suspension and distribution of contaminants if present, the physical alteration of habitat, and changes in hydraulic patterns. However, the affected resources can be adequately protected provided the permittee adheres to the standard conditions of your agency’s permit, your identified conservation recommendations and best management practices, as well as the conservation recommendations below.

### **EFH Conservation Recommendations**

Implementing the appropriate mitigation measures can avoid or minimize direct and indirect project related impacts associated with the POA Cargo Terminal Replacement. We support measures taken by the applicant to avoid and minimize potential adverse impacts to EFH, including actions to:

1. Minimize the adverse impacts of fill for the work pad by filling at low tide.
2. Reduce the number of temporary and permanent piles.
3. Minimize the in-water impacts by maximizing pile driving work at low tide.
4. Minimize the use of impact hammers and using bubble curtains when the impact hammer is needed.
5. Utilize bubble curtains when installing and when removing piles with a vibratory hammer. However, bubble curtains will not be used during the months of April, May, June, July and November when beluga whale abundance is lower.

In accordance with Section 305(b)(4)(A) of the MSA, we offer the following conservation recommendation to further avoid, minimize, mitigate, or otherwise offset project effects:

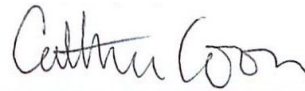
- Install confined bubble curtains around the construction area(s), to the extent possible, prior to, and during, the installation and removal of piles with a vibratory hammer in the months of April, May, June, and July to further reduce potential adverse impact to EFH. Pacific salmon use of the habitat in the project area peaks from April to July.

Additional information related to these recommendations can be found in [Impacts to Essential Fish Habitat from Non-Fishing Activities in Alaska](#) (Limpinsel et al. 2023).

Other useful resources include the [Alaska EFH Mapper](#) and our [Regional website](#), where you can find answers to frequently asked questions.

A written response to our conservation recommendations is required within 30 days pursuant to Section 305(b)(4)(B) of the MSA. If your response is inconsistent with our recommendations, explain the reasons for not following our recommendations, including the scientific justification for any disagreements over the anticipated effects of the proposed action and the measures needed to avoid, minimize, mitigate, or offset such effects (50 CFR 600.920(k)). If you will not make a decision within 30 days, provide a letter to that effect and indicate when a full response will be provided. Significant changes to the project may require reinitiating consultation. Seanbob Kelly, [seanbob.kelly@noaa.gov](mailto:seanbob.kelly@noaa.gov) is available to answer questions or discuss further actions.

Sincerely,



Catherine Coon  
Assistant Regional Administrator  
Habitat Conservation

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## References

- Giefer, J., and S. Graziano. 2024. Catalog of waters important for spawning, rearing, or migration of anadromous fishes – Southcentral Region, effective June, 2024, Alaska Department of Fish and Game, Special Publication No. 24-03, Anchorage.
- Limpinsel, D., S. McDermott, C. Felkley, E. Ammann, S. Cox, G.A. Harrington, S. Kelly, J.L. Pirtle, L. Shaw, and M. Zaleski. 2023. Impacts to Essential Fish Habitat from Non-Fishing Activities in Alaska: EFH 5-year review from 2018-2023. National Marine Fisheries Service, Alaska Region, Juneau, Alaska. U.S. Dep. Commerce, NOAA Tech. Memo. NMFS-F/AKR-30. doi: 10.25923/9z4h-n860. Accessed online at: <https://www.fisheries.noaa.gov/resource/document/impacts-essential-fish-habitat-non-fishing-activities-alaska>

National Marine Fisheries Service (NMFS). 2021. NOAA Fisheries Nearshore Fish Atlas of Alaska database ([alaskafisheries.noaa.gov/mapping/sz/index.html?tab=fa](https://alaskafisheries.noaa.gov/mapping/sz/index.html?tab=fa)). Database was accessed (October 28, 2024).

North Pacific Fishery Management Council (NPFMC). 2024. Fishery Management Plan for Groundfish of the Gulf of Alaska. Appendices D and E. Anchorage, Alaska, North Pacific Fishery Management Council. Accessed online at:  
<https://www.npfmc.org/wpcontent/PDFdocuments/fmp/GOA/GOAfmppAppendix.pdf>

North Pacific Fishery Management Council (NPFMC). 2024. Fishery Management Plan for the Salmon Fisheries in the EEZ off Alaska. Appendix A. Anchorage, Alaska, North Pacific Fishery Management Council.  
<https://www.npfmc.org/wpcontent/PDFdocuments/fmp/Salmon/SalmonFMP.pdf>