

MEETING RECORD



DATE: 4/14/2005 TIME: 2PM JOB NO.: 200936
RECORDED BY: Sarah Schoen CLIENT: KABATA
MET WITH: Larry Peltz, Jeanne Hanson, and Brad Smith OF NOAA FISHERIES Fisheries
MEETING LOCATION: HDR conference room
ROUTE TO: INFORMATION ACTIONS
SUBJECT OF MEETING: Knik Arm Crossing Fisheries Study

MEETING ATTENDEES

Brad Smith, NOAA FISHERIES Fisheries

Larry Peltz, NOAA FISHERIES Fisheries

Jeanne Hanson, NOAA FISHERIES Fisheries

Mike Williams, LGL

Edrie Vinson, FHWA

Dale Paulson, KABATA/DOT

Robin Reich, HDR

Sarah Schoen, HDR

ITEMS DISCUSSED:

Edrie Vinson (FHWA) asked Brad Smith (NOAA Fisheries) if he had a beluga conservation plan.

Brad said that the plan is available on the web. It includes recommendations for the construction projects in Knik Arm. The plan includes habitat and other studies. NOAA Fisheries hopes to have a sanctuary in Knik Arm, which would have preservation in the upper Arm, and conservation in the lower Arm. NOAA Fisheries is not against construction of the bridge. Comments are due on the plan by May 20th.

Edrie asked if the conservation plan was finished, and if NOAA Fisheries had received many comments.

Brad said that they are still accepting comments. This plan will effect how the state oil and gas leasing is conducted. Conservation groups might think that it is too liberal.

Edrie asked Brad if he thought KABATA needed to do additional studies. She mentioned that they are planning on completing a full years worth of work, and would be able to analyze and incorporate that information into the EIS. If KABATA were to do additional studies they would not help the project, as they would not be included in the document which is due in November. Edrie said that they are more interested in spending time and money on mitigation measures.

Brad said that he was here for Dan Voss (NOAA Fisheries representative for the project), and that sounds like something that they could discuss. Brad said that he considers mitigation to be part of the engineering of a project. They want to focus on the things that we do not understand. Noise is the biggest issue, along with affected habitat in the approaches, and passages. Upper Knik Arm is the quietest of the areas studied. That is where most of the belugas are. NOAA Fisheries is interested in behavior, feeding, and demographics of belugas.

Edrie mentioned that KABATA has put a lot of money into studies for the project.

Brad said that they appreciate that.

Edrie said that the work is all focused on conservation of the belugas.

Brad said that beluga conservation would be benefited by more studies. For example, beluga use of the Arm varies in July. Some years there are more belugas around, sometimes there are fewer.

Larry Peltz (NOAA Fisheries) recommended that the best approach will be to assume that there will be an impact on belugas, and focus on how to avoid impacts.

Brad brought up small take authorizations. He suggested talking about jointly pursuing permits with the EIS process. Those authorizations have obligations for monitoring; NOAA Fisheries encourages KABATA to seek out those authorizations. Brad said KABATA should at least monitor during construction. The normal process involves completing the application, meeting with affected parties, and scoping for what monitoring to include. He mentioned that NOAA Fisheries could easily list belugas under the Endangered Species Act. There are many reasons to continue the monitoring studies. If the small take authorization is granted, there will be additional monitoring needs, including ongoing field monitoring.

Dale Paulson (KABATA/DOT) asked if NOAA Fisheries has talked to the Port of Anchorage (POA).

Brad said that they had been talking to the POA.

Brad talked about the POA and KABATA applying for a joint permit to harass belugas during construction.

Robin Reich (HDR) asked about the downside of applying separately for the permits.

Brad said that there was no downside for KABATA in applying separately, but it makes more work for NOAA Fisheries.

Jeanne Hanson (NOAA Fisheries) said that if KABATA applies for a permit, it will set a precedent for the POA.

Edrie mentioned that MARAD is a cooperating agency in the project, so KABATA can work with them.

Dale asked about the issue of timing and working with the POA.

Brad said that it takes about 120 days to process permits. He said that it would be appropriate for the POA to seek an Incidental Harassment Authorization soon.

Brad agreed that the only linkage between the KABATA and POA projects is in geographic areas.

Mike Williams (LGL) said there is general monitoring for POA.

Edrie said that we need to initiate conversation and cooperation.

Larry said that integrating with the POA could be problematic.

Brad recommended that KABATA apply for regulations. He said that NOAA Fisheries would write the regulations so that the POA could operate under the same regulations.

Edrie asked for the timeframe for an application.

Mike said it would take a year from the release of the draft EIS. NOAA Fisheries staff in Washington D.C. would process the application. In another year the regulations will be in place, but that may be expedited.

Jeanne said that if everything went well it would take 8-12 months for the regulations to be issued. So it might be done by August or December of 2006.

Edrie said that as a cooperating agency, NOAA FISHERIES could review the documents early, give comments, etc.

Brad said that they are still struggling with becoming a cooperating agency. NOAA Fisheries does not need to be a cooperating agency to participate in the scoping process. They will probably not become a cooperating agency. Ken Holingstad (NOAA Fisheries staff) said that it would be best if the EIS contains a section that describes the small take authorization.

Edrie asked if Ken Holingstad would want to review the document early.

Brad said that would be necessary.

Edrie said that they do not want late comments, which could set the project back a couple of months.

Brad warned that that could happen.

Mike suggested giving Ken pieces of applied aspects of the authorization. That would help him process the application early.

Brad said that the public is always concerned about monitoring, but not the mitigation in the Letter of Authorization (LOA). The level of detail is important.

Robin noted that the Alaska Center for the Environment (ACE) and the Cook Inlet Keeper were at public meetings. She asked if NOAA FISHERIES has issued small take authorizations in Knik Arm before, and if NOAA FISHERIES had heard from Cook Inlet Keeper on their conservation plan.

Brad said that they had not heard back from them yet.

Robin said that there were fish habitat people at the meeting, but the project team has not heard much from them yet. She asked whether they had comments.

Larry said that the work looks good so far. The main problem is that this project looks at a big picture with a lot of holes in it. Larry thought that the article in the newspaper was a good assessment. People thought that the flats were not good habitat. He wondered how you know what impact you will have until you know what you are working with. He did not think that building the bridge would have an impact on the fish, unless the tidelands were filled. If the project adds fill then there will be big changes. If the bridge were totally pile supported, there will be no Essential Fish Habitat (EFH) problems.

Edrie mentioned that more bridging will require more money.

Larry said that more fill will produce greater impacts to the environment.

Jeanne said that the project team should put an EFH assessment in the document. It can be a separate section or incorporated throughout the document.

Edrie asked NOAA Fisheries if they would read over early drafts.

Larry and Jeanne said that they would, until they go to mitigation.

Edrie said she hopes they will have the preferred alternative identified in the draft document.

Larry said that the project team has not heard from the NOAA Fisheries biologists because they are doing the right things. NOAA FISHERIES does not have any suggestions of how to do things better.

Robin said that they are scoped for fish studies through July. Then they will have a full year worth of studies. Winter sampling was not safe, so sampling efforts ended in November of 2004. Jon Houghton (Pentec) is only doing beach seining at this point.

Larry said that there is a missing piece of information. They wonder if juvenile salmon are using the mid-channel.

Robin mentioned the murky water of Knik Arm and predator prey interactions. She said that Jon will go out twice in May to see juvenile salmon migration, and then go out once in June and July. Robin said that the field work found some polychaetes, but the Anchorage Daily News article did not do the issue justice. The species that Jon found is an identified species, whereas Dr. Kudenoff did not give a description or scientific name to his bristleworm. She mentioned that Jon did not use random sampling to locate the polychaetes. He sampled in areas where there was evidence of worm use. Robin said that the project team is looking at bird use. The U.S. Fish and Wildlife Service requested that information.

Brad asked if the project team is doing government to government work with Eklutna.

Edrie said that they meet with 12 people from Tribal Governments in Knik Arm.

Robin mentioned that they had met with all four tribes, which is a good first step.

Brad thought the tribes would be interested in future information about navigation in the Arm.

Edrie asked what information should be provided to NOAA Fisheries.

Brad said that NOAA Fisheries has worked with the tribes on the conservation plan, and NOAA Fisheries wants to keep boats out of upper Knik Arm. If the tribes have plans or interests up the Arm (boat launch, for example) they should let NOAA Fisheries know.

Edrie said that communication with tribes will continue into the summer.

Brad was impressed that KABATA is having those talks. He said they are doing the right thing.

Robin said that KABATA has had thoughts about cost and embankments. There could be some fill on either side of the bridge. They understand avoidance and mitigation. How can they minimize their impacts? Is it possible to recreate tidelands?

Larry said that they should try to recreate something that would be there without the bridge. If they narrow the passage down too far though, it could be a big problem. They should not make the passage narrower than the narrowest spot in the Arm. Whatever they can do to minimize impacts is good.

Jeanne said that the Corps of Engineers (COE) has done fish benches for creating tidelands around breakwaters.

Robin said she has heard about breaches being used, but hydrologists say they will sediment in.

Brad said that breaches will not work here.

Jeanne said that we can discuss options.

Brad asked about the tidal datum and whether there would be fill beyond a zero foot tide.

Larry said that we know what is present at higher tides (from beach seining). He did not know how you could research it.

Brad asked if a pile supported bridge is a no-starter.

Robin said that the engineers have looked at it, and at some depth fill and piling are the same cost.

Larry mentioned that the big argument with the POA is fill versus pilings. The POA claims that the added cost of pilings is millions of dollars. Doing a project without fill adds an additional 20-30% to a project.

Robin asked what NOAA Fisheries thought of using sheet pile for the sides of causeways.

Larry said that if there is a causeway it will create slack water on either side. Sediment will fill in these areas. So it does not matter whether they use sheet pile or not, because the area will be filled in either way. If it is cheaper to avoid sheet pile it should be used, because from a fishery standpoint there is no difference.

Robin asked if fish would be harmed in those first few years before the area filled in.

Jeanne said they would look into it.

Larry mentioned the key is to have benches so that fish can move past structure and into the shallows. It will be important to get the structure to stay in place in the strong currents.

Jeanne suggested talking to the COE.

Robin said that they would talk about design concepts at the next agency meeting.

Larry asked that the project team give the agencies a few weeks to digest information. He said that works better than expecting constant feedback.

Edrie asked NOAA Fisheries for input on the crossing location and preliminary design.

Larry said that the location does not matter for fisheries.

Brad thought that the farthest south as possible would be best for belugas.

Mike mentioned that the Six Mile Creek area is a big holdover area for whales, depending on how low the low tide is.

Jeanne asked Mike if there were belugas south of Cairn Point.

Mike said that area is harder to see (from the observation points), but that generally there are fewer belugas down there.

Robin said that the project is proposing to go below the bluff.

Jeanne said she heard that they hold over there.

Larry mentioned that area will be filled in by this summer (by the POA).

Mike noted that the project team is trying to get a scientific research permit to sample fish near belugas. He would like to coordinate fish sampling and belugas. However the permit had not been issued.

Mike said they would like to get information about what belugas are feeding on.

Brad said he would try to move the permit along. He did not know how that would work in the winter months.

Robin told the fisheries crew not to sample close to the whales.

Brad was really curious to see what the belugas were eating.

Mike said he had tried to get things going early, so that they would be ready by the spring.

Brad asked if Mike could get a multi-year permit. He asked if there was some disconnect between beluga and fish work.

Robin did not think so, but noted that there is less fish work.

Larry thought it was too bad that the field crews could not use sonar.

Brad suggested pursuing regulations and to talk to Mike about permits.

Larry told the project team to ask NOAA Fisheries if they need anything. He said they are not trying to bug the team, and do not need anything above and beyond. Larry said to talk to NOAA Fisheries and USFWS when they do talk about designs.

Jeanne reiterated to ask NOAA Fisheries if the project team has questions about the process.

Robin asked if NOAA Fisheries has an EFH consultation report style that they like.

Jeanne suggested going to the website and looking at their guidelines. False Pass had a good report. There are descriptions of different species and how they laid them out.

Larry said that they prefer to work on the front end (of a project) rather than the back end.