



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

September 25, 2003

Kelly Huynh, Acting Manager
NPDES Permits Unit
U.S. Environmental Protection Agency
Region 10
1200 Sixth Avenue
Seattle, Washington 98101

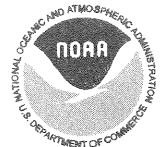
Re: Small Municipal Separate Storm Sewer System NPDES General Permit

Dear Ms. Huynh:

The National Marine Fisheries Service (NOAA Fisheries) recently responded to a request from the Environmental Protection Agency (EPA) for information on threatened or endangered species which may occur near the Municipality of Anchorage and Fairbanks North Star Borough in Alaska. In addition to the Endangered Species Act, NOAA Fisheries is responsible for administering the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 et seq.). Under Section 305(b)(2) of the Magnuson-Stevens Act, federal agencies are required to consult with the Secretary of Commerce on any action that may adversely affect Essential Fish Habitat (EFH).

Federal agencies must prepare an EFH Assessment for any action that may adversely affect EFH. The EFH assessment may be a separate document or clearly referenced in a support document, such as an environmental assessment. An EFH Assessment must contain: a description of the proposed action; an analysis of the potential adverse effects of the action on EFH and federally managed species; the federal agency's conclusions regarding the effects of the action on EFH; and proposed mitigation if applicable. The fact sheet accompanying the draft National Pollutant Discharge Elimination System (NPDES) permit is an appropriate place for this information to be conveyed to NOAA Fisheries. This process is outlined in our November 7, 2000, finding with EPA that the existing NPDES permit process may be used to satisfy the consultation requirements of the Magnuson-Stevens Act. In accordance with the November 7, 2000 finding, should EPA determine that the proposed project may adversely affect EFH, an assessment should be provided as part of the draft permit/fact sheet. NOAA Fisheries will provide conservation recommendations based on that assessment.

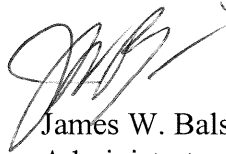
To assist you with that determination, please be advised that EFH for watersheds within the Municipality of Anchorage includes all five species of Pacific salmon: chinook, chum, coho, pink and sockeye. The watersheds within the Fairbanks North Star Borough include EFH for chinook, chum, and coho salmon. The specific habitat associations for these species are explained in the EFH Environmental Assessment NOAA Fisheries has provided your office.



This information can also be found on our website: <http://www.fakr.noaa.gov/habitat>.

We look forward to working with you throughout the project and remain willing to meet with EPA to review more detailed project information and discuss EPA's concerns regarding potential adverse effects to living marine resources, and possible mitigating measures. Ms. Jeanne L. Hanson is the point of contact for EFH on this project. Please contact her at (907) 271-3029. Mr. Brad Smith remains the point of contact on Endangered Species issues. He may be reached at (907) 271-3023.

Sincerely,

A handwritten signature in black ink, appearing to read 'JB', is written over the printed name of James W. Balsiger.

James W. Balsiger
Administrator, Alaska Region