



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

*National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668*

September 28, 2005

Lisa Olson  
U.S. Environmental Protection Agency  
1200 Sixth Avenue  
OWW-130  
Seattle, WA 99802

RE: City of Whittier Wastewater  
Treatment Facility NPDES  
Permit No. AK-002540-2

Dear Ms. Olson:

Thank you for your letter requesting information on the presence of threatened or endangered species and Essential Fish Habitat (EFH). The Environmental Protection Agency (EPA) plans to re-issue a National Pollutant Discharge Elimination System (NPDES) permit for the City of Whittier's Wastewater Treatment Facility. The facility is a central treatment facility using septic tanks in a series before discharge into Passage Canal. The National Marine Fisheries Service (NMFS) offers the following information under the Endangered Species Act (ESA), and the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Threatened and Endangered Species

The following species are listed under the Federal Endangered Species Act and are found in this Subarea:

- Steller sea lion (*Eumetopias jubatus*) – Western DPS .....Endangered
- Fin Whale (*Balaenoptera physalus*)..... Endangered
- Humpback Whale (*Megaptera novaeangliae*).....Endangered

Additionally, several ESA-listed stocks of Pacific salmon may occur within these waters. These include the following Evolutionary Significant Units (ESU): Snake River fall chinook, Snake River spring/summer chinook, Puget Sound chinook, Upper Columbia River spring chinook, Lower Columbia River spring chinook, Upper Columbia River steelhead, Upper Willamette River steelhead, Middle Columbia River steelhead, Lower Columbia River steelhead, and Snake River basin steelhead. We have no information on the specific occurrence of listed salmonids in the Whittier area, however tag recoveries from the Gulf of Alaska indicate these species/ESU's may occur here. Additional information regarding the ESA is available on our website at <http://www.fakr.noaa.gov/protectedresources/default.htm>.




Essential Fish Habitat

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 EFH. EFH has been designated for anadromous salmon and certain life stages of marine fish under NMFS' jurisdiction. Should you determine your action *may adversely affect EFH* then an EFH assessment is required as outlined in 50 CFR Part 600.920. Otherwise, an EFH assessment is *not* required. Please visit our web site at <http://www.fakr.noaa.gov/habitat> for additional information on habitat and EFH information.

We hope this information is useful in fulfilling your requirements under the ESA and the Magnuson-Stevens Act. We look forward to reviewing the new draft permits. Please direct any questions regarding endangered species to Mr. Brad Smith at (907) 271-3023, and questions regarding EFH to Ms. Jeanne Hanson at 271-3029.

Sincerely,

*for*   
James W. Balsiger  
Administrator, Alaska Region

cc: OHMP, OPMP – Anchorage  
Records