



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

August 30, 2006

Jerry Brossia, Authorized Officer
Department of the Interior
Bureau of Land Management
411 West 4th Ave.
Anchorage, AK 99501

RE: Environmental Assessment
Ballast Water Treatment Plant
Valdez Marine Terminal

Attn: Lois Simenson

Dear Mr. Brossia:

This letter is in response to your request for consultation with the National Marine Fisheries Service (NMFS) in accordance with the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson - Stevens Act). The Bureau of Land Management will be completing an environmental assessment (EA) for a proposal from Alyeska Pipeline Service Company to modify the ballast water treatment (BWT) system at the Valdez Marine Terminal. Included with your request was a copy of the Biological Evaluation of the effects of the right-of-way renewal for the Trans-Alaska Pipeline System dated June, 2002.

The Biological Evaluation you provided does not address the effects of BWT system modifications on ESA listed species. If you determine that the proposed action may affect listed species, please coordinate with Brad Smith of my staff (907-221-3023) regarding the information necessary to complete consultation under the ESA.

The information you provided also does not address effects on Essential Fish Habitat (EFH). 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. NMFS is required to make conservation recommendations, which may include measures to avoid, minimize, mitigate or otherwise offset adverse effects to EFH. Port Valdez contains EFH for the following federally managed species; pink, chum, sockeye, chinook and coho salmon; arrowtooth flounder; flathead sole; Pacific cod; rock sole; sablefish; sculpins; walleye pollock; and yellowfin sole.

We understand that the BWT plant accomplishes oil recovery and wastewater treatment. The treatment process consists of gravity separation, dissolved air flotation, biological treatment and on/off air strippers. Crude oil recovered from the ballast water is ultimately mixed with the pipeline oil supply and loaded onto tanker ships. On a volume basis, tanker discharges account for approximately 90 percent of BWT discharges. The remaining wastewaters are generated by the terminal operations. Your evaluation of the effects of modifying the BWT system should



include an analysis of potential impacts to EFH from discharges or other activities. Should you determine your action *may adversely affect EFH* then an EFH assessment is required as outlined in 50 CFR Part 600.920. Please visit our web site at <http://www.fakr.noaa.gov/habitat> for additional information on habitat and EFH information.

In addition, and in accordance with Executive Order 13112, we are concerned about the potential introduction and spread of aquatic invasive species from discharged ballast water. Trans-Alaska Pipeline trade tankers are exempt from the United States Coast Guard ballast water exchange and reporting requirements. At least fifteen non-indigenous marine species have been identified in Prince William Sound waters, some of which may have arrived there via ballast water exchange. We recommend that your EA address potential invasive species concerns as well.

We look forward to working with you to address the issues discussed above to minimize the effects of this project on living marine resources. Jeanne Hanson is the contact for this project and can be reached at (907)271-5006. Questions regarding invasive species should be addressed to Linda Shaw at (907)586-7510.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: *Records File
*Brad Smith - PRD
*Linda Shaw – HCD

*email