



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

May 10, 2007

Guy McConnell
Chief, Environmental Resources Section
Civil Works Branch (CW)
U.S. Army Engineer District, Alaska
P.O. Box 898
Anchorage, Alaska 99506-0898

Re: Akutan Small Boat Harbor Project

Dear Mr. McConnell:

The National Marine Fisheries Service (NMFS) offers the following information under the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA) and the Essential Fish Habitat provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act) in response to recent planning and design changes for the Akutan Small Boat Harbor Project. The Corps of Engineers, Civil Works Branch (CW) plans to shift the harbor 235 feet to the south and rotate the basin 10 degrees. This will eliminate the need to relocate a small wetland drainage and improve protection of the harbor from wave action.

Endangered Marine Mammal Species

NMFS is responsible for the administration of the ESA as it applies to certain cetaceans, pinnipeds, and fish which occur in Alaska. These include seven species of whales (the fin, right, humpback, blue, sperm, sei and bowhead whale), the eastern and western populations of the Steller sea lion, and several species of salmonids. We would not expect listed whales to occur within the project area, and have no information regarding the presence of listed salmonids in these waters. Listed species of Northwest coast salmon are known to occur in the Gulf of Alaska and Bering Sea.

Steller sea lions frequent the nearshore waters of Akutan Bay. The nearest major rookery site is located at Akutan Island/Cape Morgan and extends in a clockwise direction between the following geographic points: 54°03.5N/166°00.0W to 54°05.5N/166°05.0W. The nearest major haulouts are located at Akutan Island/Reef-Lava and extend in a clockwise direction between the following geographic points at 54°10.5N/166°04.5W to 54°07.5N/166°06.5W and Akun Island /Billings Head at 54°18.0N/165°32.5W to 54°18.3N/165°31.5W. Also, Critical Habitat for the Steller sea lion has been identified north of Akutan Island (50 CFR Part



226, Figure 3). The Corps must determine whether sea lions may be affected by these recent design changes, and thus whether consultation is necessary under the ESA.

Other Marine Mammal Species

Other marine mammal species that use Akutan Bay may include the minke and killer whale, the Dall's and harbor porpoise, and the harbor seal. Harbor porpoise and harbor seals are more frequently observed in the bay. We do not expect the new design changes to affect any of these marine mammals.

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. The 2004 Final Environmental Impact Statement included an EFH Assessment and effect determination. NMFS agreed with your assessment findings.

Specific to the recent project modifications, you requested NMFS review and comment as to whether additional EFH consultation was needed. The natural falls barrier in Rust Creek separates juvenile salmonids below the falls from larger resident predators (Dolly Varden) above. Further, should the barrier be removed, the potential exists to strand fish in pools between high to low flow events. Therefore, NMFS agrees with the project relocation and your rationale to lessen effects on fish within Rust Creek and adjacent wetland areas.

We hope this information is useful in fulfilling your requirements under the ESA and Magnuson-Stevens Act. Please direct any marine mammal questions to Brad Smith in our Anchorage office, (907) 271-3023. Any EFH questions should be directed to Matthew Eagleton, also in our Anchorage office, (907) 271-6354.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: * Corps/CW - Guy.R.McConnell@poa02.usace.army.mil
NMFS/PRD - kaja.brix@noaa.gov
NMFS/PRD - brad.smith@noaa.gov
USFWS - phil_brna@fws.gov
OHMP - ed.weiss@dnr.state.ak.us
Records

*e-mail