



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

December 21, 2004

David Hasley  
U.S. Army Space and Missile Defense Command  
P.O. Box 1500  
Huntsville, Alabama 35807-3801

Dear Mr. Hasley:

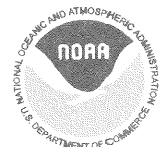
The National Marine Fisheries Service (NMFS) has reviewed the draft Environmental Assessment (EA) for the Ground- Based Midcourse Defense (GMD) Sea-Based X-Band Radar (SBX). The EA describes and addresses the potential environmental impacts of positioning and securing the SBX in the waters of Kuluk Bay near Adak Island, Alaska. GMD system testing, SBX operations, and the establishment of a Primary Support Base (PSB) at Adak Island, Alaska were analyzed in the 2003 *Ground-Based Midcourse Defense (GMD) Extended Test Range Environmental Impact Statement (EIS)*. The subsequent Record of Decision for the GMD Extended Test Range EIS selected Adak as the location to establish a PSB for the SBX.

The information provided below should be used in making your determinations under section 7(a)(2) of the Endangered Species Act of 1973, as amended (ESA) and the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act).

#### 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. The trigger for EFH consultation is a federal action agency's determination that an action may adversely affect EFH. The SBX draft EA does not discuss whether the proposed actions may adversely affect EFH.

We offer the following information to assist you in making your determination. EFH has been designated in waters around Adak for anadromous salmon and certain life stages of marine fish under NMFS' jurisdiction. Please visit our web site at <http://www.fakr.noaa.gov/habitat/> for additional EFH information regarding your project area.



Threatened and Endangered Species/Marine Mammals

The following is a list of the federally listed threatened and endangered species that may occur in the vicinity of Adak Island and for which the National Marine Fisheries Service is responsible:

fin whale (endangered)

*Balaenoptera physalus*

humpback whale (endangered)

*Megaptera novaeangliae*

Steller sea lion - western stock \*

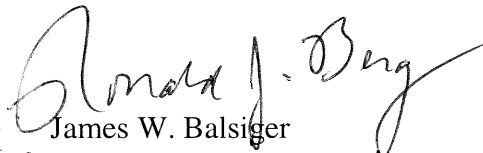
*Eumetopias jubatus*

\*The Steller sea lion is listed as endangered west of 144 degrees west longitude, and threatened east of this line.

The draft EA determined that the proposed activities may affect, but are unlikely to adversely affect endangered and threatened marine species. Our agency concurs with your determinations regarding threatened and endangered species and their critical habitat, finding the proposed actions and alternatives are not likely to adversely affect the endangered marine species. Therefore, we consider the requirements of section 7 (a)(2) of the ESA have been met and no further consultation is required.

We hope this information is useful in fulfilling your requirements under Section 7 of the ESA and under Section 305(b)(2) of the Magnuson-Stevens Act. Please direct any questions regarding protected species to Mr. Brad Smith at (907) 271-3023, and questions regarding EFH to LCDR Mark Boland at (907) 271-2373.

Sincerely,

  
For James W. Balsiger  
Administrator, Alaska Region

Enclosure