



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

November 12, 2004

S. D. Austin
Captain, U.S. Coast Guard
Director, Maritime Homeland Security Operations and Tactics
2100 Second Street, S.W.
Washington, D.C. 20593-0001

RE: EA for MSST in Anchorage

Dear Mr. Austin:

Thank you for your letters requesting information on threatened or endangered species and Essential Fish Habitat (EFH) in Cook Inlet, Alaska. This information is to be used for your determinations under section 7(a)(2) of the Endangered Species Act of 1973, as amended (ESA) and the EFH provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act) in preparing an Environmental Assessment (EA) for the establishment and operation of a Maritime Safety and Security Team (MSST) in Anchorage, Alaska. To assist with the task, we are providing the following information on EFH and a list of the Federally-listed threatened and endangered species for which the National Marine Fisheries Service (NMFS) is responsible which may occur in the Region of Influence (ROI).

Threatened and Endangered Species/Marine Mammals

fin whale (endangered)

Balaenoptera physalus

humpback whale (endangered)

Megaptera novaeangliae

Steller sea lion *

Eumetopias jubatus

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

There are now many species (evolutionary significant units) of Pacific coast salmonids listed under the ESA. While we have no information on the occurrence of these species in the ROI, the Coast Guard should consider these species specifically in making any determination under section 7 of the ESA. Information on these species may be obtained from the National Marine Fisheries Service web site at: <http://www.nwr.noaa.gov/>. Additionally, critical habitat has been designated for the Steller sea lion in the Gulf of Alaska. Detailed descriptions of these areas are provided in 50 CFR part 226.12, or see the web site <http://www.fakr.noaa.gov/regs/226202h.pdf>. <http://www.fakr.noaa.gov/regs/226202h.pdf>.



Marine mammals protected under the Marine Mammal Protection Act of 1972, as amended, 16 U.S.C. 1361 *et seq.*(MMPA) (not endangered or threatened under the Endangered Species Act of 1973.), that are found in these waters may include:

harbor seal (*Phoca vitulina*)
killer whale (*Orcinus orca*)
harbor porpoise (*Phocoena phocoena*)
Pacific white-sided dolphin (*Lagenorhynchus obliquidens*)
Dall's porpoise (*Phocoenoides dalli*)
Baird's beaked whale (*Berardius bairdii*)
Stejneger's beaked whale (*Mesoplodon stejnegeri*)
Cuvier's beaked whale (*Ziphius cavirostris*)
gray whale (*Eschrichtius robustus*)
minke whale (*Balaenoptera acutorostrata*)

We understand you propose for the EA to serve as the Biological Assessment required under the ESA. While this is acceptable, the EA should contain a separate section which assesses effects to listed species and habitat, and includes a determination as to whether the proposed action "may adversely affect" or "will not adversely affect" endangered and threatened species. This determination will guide further consultation under the ESA. If more than 90 days elapse between this letter and such a determination, please check with us to ascertain whether additional species have been listed or critical habitat designated.

Essential Fish Habitat and Fish Resources


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. Presently, you have determined that an EFH consultation is not necessary at this time. The Magnuson-Stevens Act also requires NMFS to make conservation recommendations regarding any federal action that would adversely affect EFH. We offer the following information to support you in any determination you should make.

EFH has been designated in waters for anadromous fish, specifically salmon, and certain life stages of marine fish under NMFS' jurisdiction. Five fishery management plans (FMPs) exist for fisheries in Alaska. They cover groundfish in the Gulf of Alaska, groundfish in the Bering Sea and Aleutian Islands, crab in the Bering Sea and Aleutian Islands, and salmon and scallops statewide. Those relating to Cook Inlet include the Gulf of Alaska groundfish and Statewide salmon and scallop management plans. Please visit our web site at <http://www.fakr.noaa.gov/habitat/> for additional EFH information regarding your project area.

We hope this information is useful in fulfilling your requirements under Section 7 of the ESA and the EFH consultation requirements under the Magnuson-Stevens Act. Please direct any

questions regarding protected species and/or the section 7 consultation to Mr. Brad Smith at (907) 271-3023, and questions regarding EFH to Ms. Jeanne Hanson at 271-3029.

Sincerely,

For
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James W. Balsiger
Administrator, Alaska Region