



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

November 9, 2004

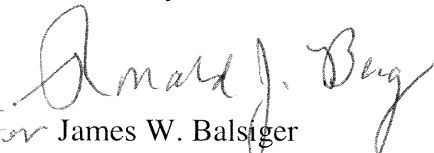
Guy R. McConnell  
Chief, Environmental Resources Section  
U.S. Army Engineer District, Alaska  
P.O. Box 898  
Anchorage, Alaska 99506-0898

Dear Mr. McConnell:

The National Marine Fisheries Service (NMFS) has reviewed your letter concerning replacement and improvements to sheet piling near Nome, Alaska. Your letter states that the Corps of Engineers has determined this proposed work is not likely to adversely impact threatened or endangered species.

We consider the Corps' determination to have been made under informal procedures of the Endangered Species Act, as described at 50 CFR 402.13. Our agency concurs with your determinations regarding threatened and endangered species and their critical habitat, because the proposed actions and alternatives are not likely to adversely affect endangered bowhead whales. Therefore, we consider the requirements of section 7 (a)(2) of the ESA have been met and no further consultation is required. Please direct any questions to Mr. Brad Smith in our Anchorage office at (907) 271-5006.

Sincerely,

  
For James W. Balsiger  
Administrator, Alaska Region

