



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

October 2, 2005

Robert Rau
U.S. Environmental Protection Agency
NPDES Permits Unit
1200 Sixth Avenue
OWW-130
Seattle, WA 99802

RE: NPDES permit for Alaska Bulk
Oil Storage Facilities
Permit No. AK-G7034-0000

Dear Mr. Rau:

Thank you for your letter requesting information on the presence of threatened or endangered species and Essential Fish Habitat (EFH). The Environmental Protection Agency (EPA) plans to begin issuance of a new National Pollutant Discharge Elimination System (NPDES) permit to cover discharges of storm water and petroleum contact water from bulk oil terminals (including petroleum, fish and vegetable oils) from various sized facilities throughout Alaska. Since this would be a statewide general permit, receiving waters could be potentially located anywhere in Alaska, in both marine and fresh waters. The National Marine Fisheries Service (NMFS) offers the following information under the Endangered Species Act (ESA), and EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

Threatened and Endangered Species

Marine mammal species occurring in Alaska currently listed as endangered under the ESA include: blue whale, bowhead whale, fin whale, humpback whale, Northern right whale, Sei whale, sperm whale, and Steller sea lion (Western stock, west of 144 degrees w. longitude). Marine mammal species occurring in Alaska currently listed as threatened under the ESA include: Steller sea lion (Eastern Stock, east of 144 degrees w. longitude). A detailed stock assessment report providing information on the marine mammals, including the stock's geographic range, can be found at:

http://www.nmfs.noaa.gov/prot_res/readingrm/MMSARS/sar2003akfinal.pdf

Additionally, several ESA-listed stocks of Pacific salmon may occur within Alaskan waters. These include the following Evolutionarily Significant Units: Snake River fall Chinook, Snake River spring/summer Chinook, Puget Sound Chinook, Upper Columbia River spring Chinook, Lower Columbia River spring Chinook, Upper Columbia River steelhead, Upper Willamette River steelhead, Middle Columbia River steelhead, Lower Columbia River steelhead, and Snake River basin steelhead. Additional information regarding the ESA is available on our website at <http://www.fakr.noaa.gov/protectedresources/default.htm>.



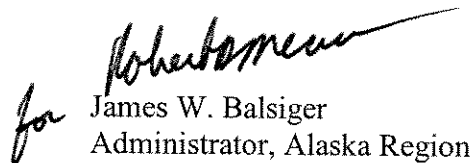
Essential Fish Habitat

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. EFH has been designated for anadromous salmon and certain life stages of marine fish under NMFS' jurisdiction.

The proposed NPDES permit has the potential to adversely affect EFH. Additional information regarding specific details of the permit would be needed before we could provide any conservation recommendations, including as requested a list of waters that NMFS would recommend "excluded from permit coverage." We would like to arrange a meeting to discuss the proposed permit. Please contact Ms. Jeanne Hanson at the number below to confirm the details of such a meeting. In addition, please visit our web site at <http://www.fakr.noaa.gov/habitat> for additional information on habitat and EFH information.

We hope this information is useful in fulfilling your requirements under the ESA and the Magnuson-Stevens Act. We look forward to hearing from you. Please direct any questions regarding endangered species to Mr. Brad Smith at (907) 271-3023, and questions regarding EFH to Ms. Jeanne Hanson at 271-3029.

Sincerely,

for 
James W. Balsiger
Administrator, Alaska Region

cc: OHMP, OPMP – Anchorage
Records