



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

*National Marine Fisheries Service  
P.O. Box 21668  
Juneau, Alaska 99802-1668*

August 27, 2002

Mr. Bernhard E. Richert, Jr.  
Economic Development Administration  
550 West Seventh  
Suite 1780  
Anchorage, Alaska 99501

RE: City of Petersburg, South Harbor Expansion Project  
State of Alaska, Final Consistency Determination,  
ID No. 9805-08JJ

Dear Mr. Richert:

Thank you for the opportunity to review the referenced project. The National Marine Fisheries Service has determined that it is unlikely to adversely affect any endangered species under our jurisdiction, pursuant to Section 7 of the Endangered Species Act. Although the endangered humpback whale (*Megaptera novaeangliae*) and threatened Steller sea lion (*Eumetopias jubatus*) could occur in the project area, they are more commonly found outside Wrangell Narrows in the waters of Frederick Sound. NMFS believes that the in-water work window already provided for in the Corps of Engineers Permit (Wrangell Narrows 2), which protects spring spawning and migration by herring and salmon from disturbance by the project, will further protect the aforementioned endangered species because they would most likely occur in the area at these times as well.

Should project plans change or new information become available that change the basis for this decision, consultation with the National Marine Fisheries Service should be reinitiated. Ms. Linda Shaw 907 586-7510 is the NMFS contact for this project.

Sincerely,

*for Sue Salverson*  
James W. Balsiger  
Administrator, Alaska Region



cc: Mr. Bruce R. Jones, City of Petersburg  
Colonel Sheldon L. Jahn, U.S. Army Corps of Engineers