



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

*National Marine Fisheries Service
P.O. Box 21668*

Juneau, Alaska 99802-1668

December 8, 2005

Sally Schlichting
Environmental Professional
Carson Dorn, Inc.
712 West 12th Street
Juneau, AK 99801

RE: Baranof Frozen Foods NPDES permit
Request for Information

Dear Ms. Schlichting:

Thank you for your December 1, 2005 e-mail requesting information on critical habitat areas in the vicinity of the planned Baranof Frozen Foods ground fish waste discharge. The seafood discharge is to be tied into the City and Borough of Sitka's wastewater treatment plant's discharge outfall, which is located 2300 feet from shore and at a depth of 200 feet. The seafood waste discharge would occur from March to October at approximately 39,000 pounds per day. Your e-mail indicated that the Environmental Protection Agency (EPA) general National Pollutant Discharge Elimination System (NPDES) permit for seafood processor discharges allows up to 10 million pounds annually. The National Marine Fisheries Service (NMFS) offers the following information under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and Endangered Species Act (ESA).

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 Ms. Jan Straley of Sitka (907-747-7779) has studied marine mammals for many years and may be an additional source of information for you.

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 (EFH)

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.

A number of Alaska Department of Fish and Game cataloged anadromous fish streams occur in the Silver Bay area. The nearest is Sawmill Creek, which supports steelhead, coho, chum and pink salmon. A copy of the USGS Quad map showing the anadromous fish streams is enclosed. In addition, twenty-two life stages of fifteen Magnuson-Stevens Act managed species occur in the project vicinity. A copy of the list generated from a search of our EFH website is enclosed. For further information on these species and EFH, please visit our website at <http://www.fakr.noaa.gov/habitat> .

We recommend you obtain additional information on sensitive resources of the area from the Southeast Alaska Subarea Contingency Plan, available at <http://www.asgdc.state.ak.us/maps/cplans/subareas.html#southeast>. Finally, we suggest you contact the Alaska Department of Fish and Game in Sitka for specific information on herring.

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. Enclosed is a copy of the NMFS/EPA EFH finding for the NPDES process, which outlines the steps to be taken in conducting an EFH assessment for the project.

Please contact Ms. Linda Shaw at 586-7510 if you have any questions regarding EFH and Ms. Aleria Jensen at 586-7248 if you have any questions regarding the ESA.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

cc: OHMP, OPMP – Juneau
Records
Aleria Jensen - PR

Enclosures:
Anadromous stream map
EFH Species List
EFH/EPA finding for NPDES permits