



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

September 5, 2007

Jamey L. Stoddard  
Project Manager  
U.S. EPA, Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

Re: Request for Species List  
for the Forest Oil NPDES  
Permit Re-Issuance

Dear Mr. Stoddard:

The National Marine Fisheries Service (NMFS) has received your letter requesting information on threatened or endangered species and Essential Fish Habitat (EFH). The Environmental Protection Agency (EPA) intends to reissue the National Pollutant Discharge Elimination System (NPDES) permit for Forest Oil's Osprey Platform located in Cook Inlet, Alaska. EPA will be developing an Environmental Assessment (EA) pursuant to the National Environmental Policy Act for this permit re-issuance. NMFS offers the following information under the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation Management Act.

### **Essential Fish Habitat**

Under Section 305(b)(2) of the Magnuson-Stevens Act, federal agencies are required to consult with NMFS regarding any action that may adversely affect EFH. EFH has been designated in Cook Inlet for Alaska plaice, Pacific cod, Atka mackerel, walleye pollock, Dover sole, arrowtooth flounder, flathead sole, rockfish, rex sole, rock sole, sablefish, sculpins, skates, squid, and salmon. If EPA determines that the proposed action may adversely affect EFH, your EA should include the information necessary for an EFH Assessment. Please visit our web site at [www.fakr.noaa.gov/habitat/](http://www.fakr.noaa.gov/habitat/) for information on the areas identified as EFH, the habitat requirements of managed species, and the contents of an EFH Assessment.

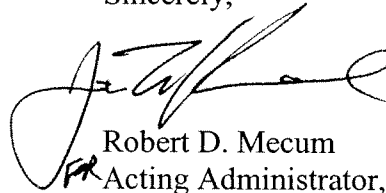
### **Threatened and Endangered Species**

Section 7(a)(2) of the ESA directs federal interagency cooperation "to insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species" or result in the destruction or adverse modification of critical habitat. NMFS is responsible for the administration of the ESA as it applies to listed cetaceans and pinnipeds in Alaska. Endangered Steller sea lions and humpback whales may be found in this region of Cook Inlet, and their presence would be considered seasonal or occasional occurrences. Additionally, NMFS has proposed listing Cook Inlet beluga whales under the ESA. We encourage EPA to consider any effects of this action to Cook Inlet beluga whales. Additional information regarding protected species and the ESA is available on our web site at [www.fakr.noaa.gov/protectedresources/](http://www.fakr.noaa.gov/protectedresources/).



We hope this information is useful in fulfilling your requirements under Section 7 of the ESA and Section 305(b) of the Magnuson-Stevens Act. Please direct any questions regarding endangered species to Mr. Brad Smith at (907) 271-3023 and questions regarding EFH to Ms. Jeanne Hanson at (907) 271-3029.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mecum', written over a printed name and title.

Robert D. Mecum

Acting Administrator, Alaska Region

cc: Records File  
Stoddard.jamey@epa.gov