UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

July 13, 2004

Melissa Mormilo
Dowl Engineers
4040 B Street
Anchorage, Alaska 99503

Re: Construction Storm Water Pollution
Shore Avenue and Ptarmigan Road Repair Project

Upgrade Project

Dear Ms. Mormilo:

The National Marine Fisheries Service (NMFS) has reviewed your request for information regarding support of a Construction Storm Water Pollution Prevention Plan as required by the Environmental Protection Agency for a proposed construction project. The proposed project is the repair of Shore Avenue and Ptarmigan Way in Kotzebue, Alaska.

The information you provided does not describe the impacts associated with the proposed project. However, based on the map provided depicting the general project area NMFS offers the following information under the Endangered Species Act (ESA), and the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation Management Act (Magnuson-Stevens Act).

Threatened and Endangered Species

Section 7(a)(2) of the ESA directs 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 Alaska Region is responsible for the administration of the ESA as it applies to certain cetaceans, pinnipeds, and marine fish. These include species of whales, Pacific salmon, and the Steller sea lion.

The information you provided indicates that work would occur inland. Due to the inland location of your project, threatened and endangered species under our jurisdiction will not occur in the vicinity of the project site, and critical habitat for those listed species would not be affected. Additional information regarding the ESA is available on our website at http://www.fakr.noaa.gov/protectedresources/default.htm.

Magnuson-Stevens Fishery Conservation and Management Act

Section 305(b)(2) of the Magnuson-Stevens Act requires interagency consultation for any federal action that may adversely affect EFH. The North Pacific Fishery Management Council has not

identified EFH in the vicinity of the proposed project. Additional information regarding EFH is available on our website at http://www.fakr.noaa.gov/habitat/efh.htm.

If you have questions concerning endangered species issues please contact Mr. Brad Smith at (907) 271-3023. Questions regarding EFH should be addressed to Ms. Jeanne Hanson at (907) 271-3029.

Sincerely,

For James W. Balsiger
Administrator, Alaska Region

cc: Misha Vakoc, EPA Region 10 – Seattle

Dowl Eng. ESA Shore/Ptarmigan.JH.wpd