



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

June 6, 2004

Michael Brock  
Dowl Engineers  
4040 B Street  
Anchorage, Alaska 99503

Re: Construction Storm Water Pollution Plan for lot  
at 1928 Dimond Blvd., Anchorage, Alaska

Dear Mr. Brock:

The National Marine Fisheries Service (NMFS) has reviewed your request for information regarding resources of NMFS concern in support of a Construction Storm Water Pollution Prevention Plan as required by the Environmental Protection Agency for a proposed construction project. The proposed project involves improvements on a lot located at 1928 E. Dimond Blvd, in Anchorage, 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 Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

#### 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. These include seven species of endangered whales (fin, right, humpback, blue, sperm, sei and bowhead whales) and Steller sea lions.

Due to the inland location of the proposed project, threatened or endangered marine mammals will not occur in the vicinity of the proposed project, and critical habitat for the above 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.



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,

James W. Balsiger  
Administrator, Alaska Region

cc: Misha Vakoc, EPA Region 10 - Seattle