UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668
February 24, 2009

Angie Boardman
Knik Tribal Council
PO Box 871565
Wasilla, AK 99687-1565

Re: Housing Rehabilitation Program
Matanuska-Susitna Borough

Dear Ms. Boardman:

The National Marine Fisheries Service (NMFS) has received your letter requesting information on threatened or endangered species and Essential Fish Habitat (EFH) associated with the proposed rehabilitation of existing Knik Tribal Council housing in the Matanuska-Susitna Borough. NMFS offers the following information regarding the consultation requirements of 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 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, pinnipeds, fish, and reptiles (sea turtles) in Alaska. Further information on NMFS ESA species can be found at http://www.nmfs.noaa.gov/pr/species/esa_species.htm

Endangered Species

NMFS designates those species or distinct stocks of species, which are in jeopardy of extinction as endangered under the ESA. An endangered species is defined in the law as "any species, which is in danger of extinction throughout all or a significant portion of its range." Marine mammal species occurring in Alaska currently listed as endangered under the ESA include, blue, bowhead, fin, humpback, North Pacific right, sei, and sperm whales, the Cook Inlet beluga whale, and Steller sea lion (western stock, west of 144 degrees w. longitude). The endangered leatherback turtle is uncommon but recorded in the Gulf of Alaska. All other marine turtles are rare or "casual visitors" to Alaskan waters.

Threatened Species

Similar to an endangered species, a threatened species (under the ESA) is "any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Marine mammal species occurring in Alaska currently listed as threatened under the ESA are, Steller sea lion (eastern stock, east of 144 degrees w. longitude).

Marine/Anadromous Fish
Several ESA-listed stocks of Pacific salmon may occur within Alaska's waters. These include the following Evolutionarily Significant Units (ESU): Snake River fall Chinook (T), Snake River spring/summer Chinook (T), Puget Sound Chinook (T), Upper Columbia River spring Chinook (E), Lower Columbia River Chinook (T), Upper Columbia River steelhead (E), Upper Willamette River steelhead (T), Middle Columbia River steelhead (T), Lower Columbia River steelhead (T), and Snake River basin steelhead (T).

Species of Concern
A Species of Concern is a species that NOAA Fisheries has concerns regarding its population status and harmful threats, but for which insufficient information is available to indicate a need to list the species under the ESA. Species of Concern occurring in Alaska are the ribbon seal and several Evolutionarily Significant Units of west coast Chinook salmon, coho salmon, and steelhead trout.

Depleted Marine Mammals
Under the Marine Mammal Protection Act (MMPA), a species is designated as depleted when it falls below its optimum sustainable population. Species listed under the ESA are also considered depleted under the MMPA. Marine mammal species occurring in Alaska currently designated as depleted, in addition to those listed above, include North Pacific fur seals and killer whales of the AT-1 group.

A detailed stock assessment report providing information (geographic range, a minimum population estimate, current population trends, current and maximum net productivity rates, optimum sustainable population levels and allowable removal levels, and estimates of annual human-caused mortality and serious injury through interactions with commercial fisheries and subsistence hunters) on the marine mammals of Alaska under jurisdiction of NMFS can be found at: http://www.nmfs.noaa.gov/prot_res. Additional information regarding the ESA is available on our website at: http://www.fakr.noaa.gov/protectedresources/default.htm

Project-Specific Information
We do not have specific information on the occurrence of any of these species within the project area for this work. Your assessment should determine whether these species exist within the project area and whether the proposed action "may affect" or "will not affect" endangered and threatened species. If more than 90 days elapses between this letter and such a determination, please check with us to ascertain whether additional species have been listed or critical habitat designated.

Essential Fish Habitat
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 in waters used by anadromous salmon and various life stages of marine fish under NMFS' jurisdiction. Five fishery management plans exist for fisheries in Alaska. They cover groundfish in the Gulf of Alaska, groundfish in the Bering Sea and Aleutian Islands, crab in the

Bering Sea and Aleutian Islands, and salmon and scallops statewide. Please visit our web site at http://www.fakr.noaa.gov/habitat for additional information on habitat and EFH information.

Project-Specific Information

Based on the information you submitted it is unlikely that any EFH would occur within the actual project area. The trigger for EFH consultation is a Federal action agency's determination that an action may adversely affect EFH. If a Federal action agency determines that an action will not adversely affect EFH, no consultation is required, and the Federal action agency is not required to contact NMFS about their determination.

We hope this information is useful in fulfilling your requirements under Section 7 of the ESA and Section 305(b)(2) of the Magnuson-Stevens Act. Please direct any questions regarding marine mammals or endangered species to Brad Smith at (907) 271-3023, and questions regarding EFH to Jeanne Hanson at (907) 271-3029.

Sincerely,

Robert D. Mecum
Acting Administrator, Alaska Region

Knik Tribal Council Housing Rehab 2-23-09 jh