



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

February 13, 2009

Christopher Savage  
District Ranger  
Petersburg Ranger District  
Tongass National Forest  
USDA Forest Service  
P.O. Box 1328  
Petersburg, Alaska 99833-1328

RE: Scoping Comments for the Tonka  
Timber Sale Project EIS

Dear Mr. Savage:

The National Marine Fisheries Service (NMFS) reviewed the USDA Forest Service (USFS) Petersburg Ranger District's request for scoping comments on the proposed Tonka Timber Sale Project Environmental Impact Statement (EIS). The timber sale would occur on the Lindeberg Peninsula on Kupreanof Island which is situated between Duncan Canal and the Wrangell Narrows southwest of Petersburg, Alaska. The sale area is approximately 62,150 acres. The proposed action would harvest approximately 60 million board feet (MMBF) of timber from approximately 3,500 acres of forested land. The harvest may require construction of eleven miles of new road. The proposed action includes timber harvest and road building in inventoried roadless areas. An existing marine access facility (MAF) at Tonka, along the Wrangell Narrows, would be used to transfer logs into the water or onto barges for transport to a mill. This project will also include road management objectives for the Tonka road system and improvements to the Tonka marine access facility. The project will propose and analyze road access recommendations. We offer these scoping comments under authorities provided by the Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), the Marine Mammal Protection Act (MMPA), and the Endangered Species Act (ESA).

EFH Consultation Process

Section 305 (b) of the MSFCMA requires federal agencies to consult with NMFS on all actions that may adversely affect EFH. Adverse effect means any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality and/or quantity of EFH. Adverse effect to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions. For any federal action that may adversely affect EFH, federal agencies must provide NMFS with a written EFH Assessment, which contains:



1. A description of the proposed action;
2. An analysis of the potential adverse effects of the action on EFH and the managed species;
3. The federal agency's conclusions regarding the effects of the action on EFH; and
4. Proposed mitigation, if applicable.

Based on the EFH Assessment, NMFS then provides EFH Conservation Recommendations to avoid, minimize or mitigate the adverse effects of the action on EFH.

In June 2007, NMFS and the Forest Service agreed to procedures that will be used for EFH consultations. The document which outlines that process is enclosed for your reference. For additional information on EFH consultation, federally managed species and EFH in Alaska, please visit: <http://www.fakr.noaa.gov/habitat/efh.htm>. In the meantime, we offer the following preliminary comments on the proposed project.

#### Anadromous Fish

The project area contains numerous anadromous fish streams. Streams 106-43-10800 (Mitchell Creek), 106-43-10780, and 106-44-10500 have coho salmon spawning and rearing habitat and are identified in the State of Alaska's Catalog of Waters Important for the Spawning, Rearing or Migration of Anadromous Fishes.

([http://www.sf.adfg.state.ak.us/SARR/FishDistrib/FDD\\_catalogs.cfm](http://www.sf.adfg.state.ak.us/SARR/FishDistrib/FDD_catalogs.cfm)).

The proposed action identifies proposed harvest units in the watersheds for these streams and also in the watersheds of streams that are catalogued to have pink or chum salmon (106-43-10760, 106-44-10490, 106-44-10480, and 106-44-10470). Coho, pink, and chum salmon are species with designated EFH in the project area. Salmon utilize both stream and nearshore marine habitats. Nearshore habitats are particularly important to juvenile salmon migrating from fresh water to salt water in the late spring and early summer.

#### Groundfish

The inshore area of the project location provides important habitat for several marine species. Groundfish species with EFH in the project area include: Pacific cod, Pacific Ocean perch, walleye pollock, dusky rockfish, shortraker/ roughey rockfish, yelloweye rockfish, sablefish, arrowtooth flounder, sculpin, skate, flathead sole, rex sole and various forage fish. Other rockfish expected to be in the project area include: black rockfish, quillback rockfish, copper rockfish and yellowtail rockfish.

#### Habitat Investigations

NMFS scientists have conducted fish sampling work in Kah Sheets Bay south of the project area. NMFS collected the following species using beach seines: bay pipefish; coho salmon; buffalo, great, northern, Pacific staghorn, and silver spotted sculpin; crescent gunnell; kelp greenling; shiner perch, snake pricklyback; starry flounder; surf smelt; threespine stickleback; tubenout; tubenose poacher; Pacific sand lance; and rock sole (Johnson, et al. 2005). This information can be accessed on line using the nearshore fish atlas found at: <http://www.fakr.noaa.gov/habitat/fishatlas/>.

## Recommendations

### Watershed Assessment

NMFS recommends that a watershed assessment be completed for the watersheds that have proposed harvest if a current assessment is not available. It is important to have baseline assessments upon which to base an effects analysis. The watershed assessment should assess the inherent production potential in the watershed and analyze the potential impact on that potential from the proposed timber harvest. The assessment should contain data on the total area of the watershed relative to the total area already harvested and relative to the total area proposed for harvest (including harvest on adjoining state land); the length of stream by class, process group, and channel type; the length of roads; the number of culverts; the number of culverts with fish passage problems (if any) and amount of habitat blocked; and the amount of slopes greater than 76 percent with proposed or past timber harvest. We view watershed scale impacts as an important issue to be addressed in the EIS.

### Fish Passage through Culverts, Access Travel Management, and Road Closure

The proposed action would utilize the existing road network of approximately 61 miles and may construct eleven miles of new road. A study jointly conducted by the Alaska Department of Fish and Game and the USFS found 66% of culverts on anadromous fish streams and 85% of culverts on resident fish streams did not fully meet the criteria for passing fish on 60% of the Tongass National Forest's permanent (system) roads (Flanders and Cariello, 2000). A color code was established that identified a "red" culvert as one that did not meet the Q2-2day duration design flow standard and impeded fish passage. There are approximately 1200 "red" culverts on the Tongass National Forest (personal communication with John McDonnell on July 10, 2008). The proposed action could add to the current fish passage problem on the Tongass. Road condition survey information should be utilized in the analysis. If the roads in the analysis area have not been recently surveyed then we recommend road condition surveys be conducted on the existing roads in the timber sale area. If red culverts are identified, we recommend the potential for correcting these culverts be investigated and included in the analysis.

We view roads with a large number of red culverts or a large percentage of culverts that are designated red as a higher priority for closure relative to proper functioning culverts that allow fish passage. Post timber sale negative road effects on stream channel stability, water quality, and fish passage can be minimized by closing low use roads and directing limited road maintenance dollars to roads that must remain open for timber management and connectivity purposes.

### Log Transfer Facilities (LTFs)

LTFs have the potential to adversely affect EFH. Log storage and log handling in marine waters often results in accumulation of woody debris. Woody debris frequently impacts site productivity for many years. Loading logs directly onto barges significantly minimizes the potential for bark to enter marine waters and is preferable to putting logs

into marine waters. NMFS supports use of a barge facility for log transfer and we recommend requiring the barging of logs for all action alternatives.

NMFS also recommends that a baseline dive monitoring survey be done at the LTF to map and survey the nearshore LTF area including depth contours, the existing extent and depth of bark accumulation, and the flora and fauna present. We recommend the EIS include a discussion of the expected amount of additional debris from the proposed action and from other timber sales that will use the LTF for log transfer; if the LTF meets the 1995 LTF Siting, Construction, Operation, Monitoring and Reporting Guidelines; construction or reconstruction needs; permitting needs; and other site-specific information that is necessary for assessing the potential impacts of the LTF on EFH.

#### Wetlands

Compensatory mitigation for unavoidable wetland impacts not covered by the silviculture exemption may be appropriate for this proposed action and should be addressed in the EFH assessment.

#### ESA/MMPA

The project is within the range of endangered humpback whales and threatened Steller sea lions, as well as harbor porpoises, harbor seals and killer whales, which are protected under the MMPA. Section 9 of the Endangered Species Act (ESA) and federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Consultation under section 7 of the ESA is necessary if the Forest Service determines that the proposed action may affect listed species. The Marine Mammal Protection Act (MMPA) specifically prohibits the taking of marine mammals, including harassment, unless the activity is exempted by law or permitted under the Act. General information on ESA species and MMPA species under NMFS jurisdiction can be found at: <http://www.fakr.noaa.gov/protectedresources>.

NMFS may offer additional recommendations as more detailed project information becomes available. If you have any questions regarding our EFH comments on the proposed project, please contact Cindy Hartmann at (907) 586-7585. If you have questions regarding our ESA and MMPA comments, please contact Kate Savage at (907) 586-7312.

Sincerely,



Robert D. Mecum  
Acting Administrator, Alaska Region

Enclosure

cc: Tonka Timber Sale Project EIS comments-alaska-tongass-petersburg@fs.fed.us  
USFS, Petersburg, Ben Case, bcase@fs.fed.us  
ADF&G, Petersburg, Jim Cariello, jim.cariello@alaska.gov  
ADEC, Juneau, Kevin Hanley, kevin.hanley@alaska.gov  
USFWS, Juneau, Richard Enriquez, richard\_enriquez@fws.gov  
EPA, Juneau, Chris Meade, meade.chris@epa.gov  
ADNR, DCOM, ACMP, Juneau, Carrie Bohan, carrie.bohan@alaska.gov  
NMFS, HCD, Cindy Hartmann, cindy.hartmann@noaa.gov  
NMFS, PRD, Kate Savage, katharine.savage@noaa.gov

## References

Flanders, L. S., and J. Cariello, 2000. Tongass Road Condition Survey Report. Alaska Department of Fish and Game, Habitat and Restoration Division. Technical Report No. 00-7, Southeast Regional Office, Douglas, AK. 48 pps.

Johnson, S.W., A. Darcie Neff and John F. Thedinga. 2005. An atlas on the distribution and habitat of common fishes in shallow nearshore waters of southeastern Alaska, 89p. U.S. Dep. Commer., NOAA Tech. Memo. NMFS-AFSC-157.



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

June 26, 2007

Mr. Dennis E. Bschor  
Regional Forester  
USDA Forest Service  
P.O. Box 21628  
Juneau, AK 99802

Enclosure

Dear Mr. Bschor:

Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each federal agency to consult with the Secretary of Commerce regarding all actions or proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). The National Marine Fisheries Service (NMFS) EFH regulations enable federal agencies to use existing consultation or environmental review procedures to satisfy the Magnuson-Stevens Act consultation requirements if the existing procedures meet the following criteria (50 CFR 600.920(f)): 1) the existing process must provide NMFS with timely notification of actions that may adversely affect EFH; 2) notification must include an assessment of impacts of the proposed action on EFH; and 3) NMFS must have made a finding that the existing process can be used to satisfy the EFH consultation requirements of the Magnuson-Stevens Act.

In May 2000 NMFS found that the National Environmental Policy Act (NEPA) process used by the Forest Service (FS) may be used to satisfy the EFH consultation requirements, and we worked with FS staff to develop an agreed upon consultation process. In recent months NMFS staff discussed this finding and process with FS staff and revised the process so it is consistent with the January 2002 final EFH regulations and changes in the FS environmental assessment process since 2000. NMFS appreciates the efforts of Don Martin, Dick Aho, and other Forest Service staff in developing this revised consultation process.

NMFS finds that the NEPA process used by the FS may be used to satisfy the consultation requirements of the Magnuson-Stevens Act provided the FS and NMFS adhere to the process in the enclosed document. If you concur please sign page six of the two enclosed documents and return one of the signed documents to us. If you have questions, or proposed changes contact Cindy Hartmann at 586-7585.

Sincerely,

Robert D. Mecum

Acting Administrator, Alaska Region

Enclosure

cc: Don Martin, FS, Juneau  
Dick Aho, FS, Petersburg



**MAGNUSON-STEVENSON FISHERY CONSERVATION AND  
MANAGEMENT ACT ESSENTIAL FISH HABITAT (EFH)  
CONSULTATION PROCEDURES**  
**for consultation between the  
USDA FOREST SERVICE, ALASKA REGION  
and the  
NATIONAL MARINE FISHERIES SERVICE, ALASKA REGION**

**BACKGROUND**

These procedures address the coordination, consultation, and recommendation requirements of sections 305(b)(1)(D) and 305(b)(2-4) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The 1996 amendments to the Magnuson-Stevens Act require federal agencies such as the USDA Forest Service (FS) to consult with the National Marine Fisheries Service (NMFS) regarding actions that “may adversely affect” Essential Fish Habitat (EFH) for federally managed marine and anadromous fish species.

Federally managed fish species are those species under the jurisdiction of the North Pacific Fishery Management Council (NPFMC), managed by the NMFS, and included in a fishery management plan (FMP). FMPs can be accessed on the NPFMC website at: <http://www.fakr.noaa.gov/npfmc/default.htm>. EFH habitats on national forest lands generally include freshwater anadromous fish streams and intertidal and subtidal marine habitats.

EFH is described by life history stage (egg, larvae, early juvenile, late juvenile and adult) for numerous fish species<sup>1</sup>. EFH is described for the following species common within marine, estuarine, or freshwater areas either adjacent to or within the Tongass and Chugach National Forests: Walleye pollock; Pacific cod; arrowtooth flounder; yellowfin, rock, rex, dover and flathead sole; Alaska plaice; sablefish; Pacific Ocean perch; shortraker, rougheye, northern, thornyhead, yelloweye, and dusky rockfish; sculpin; skates; sharks; squid, octopus; forage fish; weathervane scallop; and Chinook, chum, coho, pink, and sockeye salmon. Several common marine and freshwater fish species that are not managed under a FMP, include: halibut, ling cod, Pacific herring, Dungeness crab, cutthroat trout, steelhead trout, and Dolly Varden char. EFH is not described for these non-FMP managed species and therefore EFH consultation is not necessary and these species should not be included in an EFH Assessment (described later in this document).

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<sup>1</sup> EFH is described in text and maps for FMP managed species in Appendix D of the April 2005 *Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska*. EFH text descriptions can be found at: [http://www.fakr.noaa.gov/habitat/seis/final/appd\\_txtdesc.pdf](http://www.fakr.noaa.gov/habitat/seis/final/appd_txtdesc.pdf). EFH on-line maps can be found at: <http://akr-mapping.fakr.noaa.gov/Website/EFH/viewer.htm?simple>. NOTE: the text description is the legal description. The maps are for illustration purposes. The August 8, 2005, Record of Decision (ROD) for *Essential Fish Habitat Identification and Conservation in Alaska* selected Alternative 3 to describe and identify EFH. A link to the FEIS and ROD for EFH is found at: <http://www.fakr.noaa.gov/habitat/seis/efheis.htm>.

NMFS issued a final rule (50 CFR 600) to revise the regulations implementing the EFH provisions of the Magnuson-Stevens Act on January 17, 2002 (67 FR 2343). The intended effect of the rule is to promote the protection, conservation, and enhancement of EFH. Subpart K of the rule details procedures NMFS and other federal agencies will use to coordinate, consult, or provide recommendations on federal and state actions that may adversely affect EFH. Information on EFH designations in Alaska, guidance on the EFH consultation process, and answers to frequently asked questions can be found at <http://www.fakr.noaa.gov/habitat/efh.htm>

Wherever possible, NMFS integrates EFH consultations into environmental review procedures required by other statutes, such as the National Environmental Policy Act (NEPA), to fulfill EFH consultation requirements. The procedure outlined in this document incorporates EFH review into the NEPA process. The FS and NMFS will follow the EFH consultation process outlined below for all actions or proposed actions, authorized, funded or undertaken by the FS that the FS has determined "may adversely affect EFH" and are not covered by a General Concurrence<sup>2</sup> (50 CFR 600.920(g)), or a Programmatic Consultation<sup>3</sup> (50 CFR 600.920(j)). Adverse effect means any impact which reduces quality and/or quantity of EFH (50 CFR 600.910(a))<sup>4</sup>.

The FS may designate a non-federal representative to conduct an EFH consultation or prepare an EFH Assessment; however, the FS is ultimately responsible for complying with the EFH Consultation requirements of the Magnuson-Stevens Act. Generally, early agency consultation allows for our agencies to work towards resolving issues early in project planning.

## **EFH CONSULTATION PROCESS**

### **1. Determination:**

The FS will determine if a proposed action being covered by an environmental impact statement (EIS), environmental assessment (EA), or categorical exclusion (CE) will have "no adverse effect" or if it "may adversely affect" EFH. FS personnel may confer with NMFS personnel for assistance in making this determination. If the "no adverse effect" determination is made, the decision must be summarized in the decision document and fully explained in the planning record. For actions that "may adversely affect" EFH, follow steps two through nine below.

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<sup>2</sup> A General Concurrence identifies specific types of Federal actions that may adversely affect EFH, but for which no further consultation is generally required because NMFS has determined, through an analysis of that type of action, that it will likely result in no more than minimal adverse effects individually and cumulatively. A Federal agency may request a General Concurrence for a category of its actions by providing NMFS with an EFH Assessment (see 50 CFR 600.920(g)(3)).

<sup>3</sup> Programmatic Consultation provides a means for NMFS and a Federal agency to consult regarding a potentially large number of individual actions that may adversely affect EFH.

<sup>4</sup> Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality and/or quantity of EFH. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions (50 CFR 600.910 (a)).

## **2. Notification:**

The FS should involve NMFS early in the planning process for proposed actions that “may adversely affect” EFH. EFH consultation, if required, begins when NMFS receives an EFH Assessment either in a draft environmental impact statement (DEIS), in an environmental assessment (EA), or as a separate document (50 CFR 600.920(h)(2)). (Note: if EFH consultation is required for a project covered by a CE, a separate notification document is necessary since an EA or EIS is not written.)

In accordance with 50 CFR 600.920(f)(1)(i), NMFS should have at least 60 days notice prior to a final decision on an action or at least 90 days notice if the action would result in substantial adverse impacts.

NMFS may review the Schedule of Proposed Actions (SOPA) available on the internet (<http://www.fs.fed.us/r10/ro/projects-plans/>) and may request additional information. However, the internet posting of proposed actions does not constitute notification for EFH consultation.

## **3. EFH Assessment:**

If the FS determines that a proposed action “may adversely affect EFH” and the action is not covered by a General Concurrence or a Programmatic Consultation with NMFS, an EFH Assessment is required. The level of detail in an EFH Assessment should be commensurate with the complexity and magnitude of the potential adverse effects of the action. The EFH Assessment must contain (50 CFR 600.920(e)(3)):

- A description of the proposed action;
- An analysis of the potential adverse effects of the action on EFH and the managed species;
- The FS conclusions regarding the effects of the action on EFH; and
- Proposed mitigation, if applicable.

If appropriate, the assessment should also include (50 CFR 600.920(e)(4)):

- The results of site investigations to evaluate the habitat and the site-specific effects of the project;
- The views of recognized experts on the habitat or species that may be affected;
- A review of pertinent literature and related information;
- An analysis of alternatives to the action including alternatives that could avoid or minimize adverse effects on EFH; and
- Other relevant information.

For EISs and EAs, the FS may include the EFH Assessment in the DEIS or EA; include it as an appendix to the DEIS or EA; or submit it as a separate document to NMFS before or during the public review period. If the entire EFH Assessment is not included in the body of the DEIS or EA, a summary of the assessment and the FS conclusions regarding the effects of the action on EFH will be included. Wherever the EFH Assessment is located, it must be clearly labeled as such and include all the required information.

If a project covered by a CE “may adversely affect” EFH, a separate EFH Assessment document will be submitted to NMFS.

Mail documents and correspondence regarding EFH actions on the Tongass National Forest to NMFS, Habitat Conservation Division, P.O. Box 21668, Juneau, AK 99802. Mail documents and correspondence regarding EFH actions on the Chugach National Forest to: NMFS, Habitat Conservation Division, 222 West 7<sup>th</sup> Avenue # 43, Anchorage, AK 99513.

**4. NMFS EFH Conservation Recommendations:**

NMFS will respond in writing within the established DEIS or EA comment period (45 days for an EIS or 30 days for an EA) as to whether it concurs with the conclusions of the EFH Assessment. For CEs, NMFS will respond in writing within 30 days of receipt of the EFH Assessment. NMFS may agree to use a compressed schedule in cases where regulatory approvals or emergency situations cannot accommodate 30 days for consultation. For all actions, NMFS may provide EFH Conservation Recommendations, ask for additional analysis, or request expanded consultation<sup>5</sup> (50 CFR 600.920(i)) if appropriate.

**5. Forest Service Response:**

If NMFS does not respond within the established comment period, without a FS approved time extension, consultation is ended and no further correspondence is necessary.

If NMFS concurs with the FS EFH Assessment and proposed minimization measures and mitigation, consultation is ended and no further correspondence is necessary.

If NMFS provides EFH Conservation Recommendations, the FS must provide a written response to NMFS within 30 days after receiving NMFS Conservation Recommendations (600.920(k)(1)). If the Forest Service is not able to respond fully within 30 days, the FS will send a preliminary response to NMFS.

For all actions, if the FS response is inconsistent with any of NMFS EFH Conservation Recommendations, the FS response must be provided to NMFS at least 10 days prior to final approval of the action.

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<sup>5</sup> Expanded consultation allows maximum opportunity for NMFS and the Forest Service to work together to review the action’s impacts on EFH and to develop EFH Conservation Recommendations. Expanded consultation procedures must be used for Federal actions that would result in substantial adverse effects to EFH. The Forest Service must submit its EFH Assessment to NMFS at least 90 days prior to a final decision on the action. NMFS must respond within 60 days of submittal of a complete EFH Assessment unless consultation is extended by agreement between NMFS and the Forest Service.

The FS response to NMFS EFH Conservation Recommendations must include a description of or reference to measures proposed by the FS for avoiding, minimizing, or mitigating the impact of the activity on EFH. In the case of a response that is inconsistent with NMFS Conservation Recommendations, the FS must explain its reasons for not following the recommendations, including the scientific justification for any disagreements with NMFS over the anticipated effects of the action and the measures needed to avoid, minimize, mitigate, or offset such effects (600.920(k)(1)). In addition to scientific justification, the FS may provide additional reasons for not following the recommendations such as budget or an explanation of an alternate agency process or procedure established to address the concern.

**6. Dispute Resolution:**

Potential conflicts should be identified and handled prior to the publication of the Record of Decision, Decision Notice, or Decision Memo. If a pending FS decision is inconsistent with NMFS EFH Conservation Recommendations, NMFS may request a meeting with the responsible FS line officer to discuss the action and opportunities for resolving any disagreements. NMFS will endeavor to resolve any such issues in a meeting between the Assistant Regional Administrator for Habitat Conservation and the District Ranger or Forest Supervisor, or in a meeting between the Alaska Regional Administrator and the Alaska Regional Forester. If issues cannot be resolved to NMFS satisfaction, 50 CFR 600.920(k)(2) allows the NOAA Assistant Administrator for Fisheries to request a meeting with the FS Chief to discuss the proposed actions and opportunities for resolving disagreements.

**7. Final EIS (FEIS):**

The FEIS should include a summary of how EFH may or may not be adversely affected, the EFH consultation that has occurred throughout the project's environmental review process, and that EFH consultation requirements have been satisfied. The FS may choose to include the completed EFH Assessment and related correspondence in the FEIS for informational purposes.

**8. Record of Decision (ROD); Decision Notice/Finding of No Significant Impact (FONSI); and Decision Memo:**

The FS will summarize the conclusions of the EFH consultation (along with a summary of the determination as discussed in step 1 above) in the ROD, Decision Notice/FONSI, or Decision Memo.

**9. Project File/Planning Record:**

The consultation process will be fully explained (along with the full explanation of the rationale for the determination as discussed in step 1 above) in the planning record.

**THESE EFH CONSULTATION PROCEDURES INVOLVE NO TRANSFER OF FUNDS AND EXPIRE IN FIVE YEARS FROM THE LAST DATE BELOW UNLESS EXTENDED BY MUTUAL AGREEMENT.**

**The USDA Forest Service**

Dennis E. Bschor 6/28/07  
Signature Date

Dennis E. Bschor  
Regional Forester  
U.S. Department of Agriculture  
Forest Service  
Alaska Region, Region 10  
P.O. Box 21628  
Juneau, AK 99802-1628

**The National Marine Fisheries Service**

Robert D. Mecum 6/27/07  
Signature Date

Robert D. Mecum  
Acting Administrator  
U.S. Department of Commerce  
National Marine Fisheries Service  
Alaska Region  
P.O. Box 21668  
Juneau, AK 99802-1668