



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

April 8, 2009

Ms. 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) requirements associated with the proposed rehabilitation of sixty-four, single-family homes in and around the Matanuska-Susitna Valley. NMFS offers the following information under the Endangered Species Act (ESA) and the EFH provisions of 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, 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](http://www.nmfs.noaa.gov/pr/species/esa_species.htm)

### **Endangered Species**

NMFS designates those species or distinct stocks of species that 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 the 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”. The only marine mammal species occurring in Alaska currently listed as threatened under the ESA is the 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 for which NMFS has concerns regarding population status and 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 level. 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 the ESA listed species described 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 NMFS' jurisdiction can be found at: [http://www.nmfs.noaa.gov/prot\\_res](http://www.nmfs.noaa.gov/prot_res). Additional information regarding the ESA and MMPA 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. You 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 marine fish and invertebrates 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 managed species and their EFH.

**Project-Specific Information**

Based on the information you submitted, it is unlikely that any EFH is present within the 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