



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

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

April 16, 2009

John Shively
Chief Executive Officer
The Pebble Partnership
3201 C Street, Suite 604
Anchorage, Alaska 99503

Dear Mr. Shively:

The National Marine Fisheries Service (NMFS) appreciates the opportunity to participate on the Pebble Project Technical Working Groups (TWGs) and Steering Committee. We support the intent of these interagency groups, which were established to serve as advisory bodies that provide suggestions related to baseline studies, scope of studies, geographical extent, methodologies, and means to best coordinate study efforts for the Pebble Project.

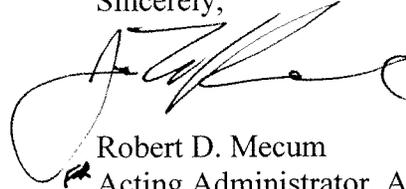
NMFS' experience in the environmental review process has shown early involvement to be the most efficient and productive phase of a project for reaching consensus on complex, controversial issues. We are participating in the Pebble Project TWGs and Steering Committee to ensure environmental baseline studies are appropriately designed to produce an adequate Essential Fish Habitat (EFH) assessment as required under the EFH provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); and that the proposed project is appropriately designed to avoid, minimize, mitigate or otherwise offset impacts to NMFS' trust resources. We also seek to ensure that related monitoring studies are sufficient to differentiate natural changes in ecosystem processes and function from mining impacts so potential problems can be promptly addressed before they adversely affect fish or their habitats. This is particularly important given the many examples of unintended negative effects that hard rock mining has had on aquatic ecosystems worldwide, including effects on anadromous fish populations and habitat within the Pacific Northwest.

Recently, state and federal agency representatives on the Fish, Instream Flow, and Marine Fish TWGs drafted a document for the Pebble Limited Partnership's (PLP) consideration entitled "Development of Study Objectives and Agency Recommendations." It is our understanding that PLP has received a copy of this draft document from the Habitat Division of the Alaska Department of Fish and Game. The draft document is meant to provide scientific principles needed to develop studies to ensure that the data collected can be used to inform the agencies during permitting and consultative processes. Specifically for NMFS, such information would be used during EFH consultation in an EFH Assessment, and by NMFS in evaluating the effects of the action on EFH and the measures that can be taken to avoid, minimize, or offset such effects.



We remain committed to working with PLP and other agencies through the TWGs and Steering Committee to achieve our shared goal of developing a solid base of information to support decision making for this project. Please contact Ms. Jeanne Hanson of my staff at (907) 271-3029 should you have any questions regarding this matter or require additional information on the EFH consultation requirements or process.

Sincerely,



Robert D. Mecum
Acting Administrator, Alaska Region

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<http://dnr.alaska.gov/mlw/mining/largemine/pebble/index.htm>
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