

2007-I-0064



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Anchorage Fish and Wildlife Field Office
605 West 4th Avenue, Room G-61
Anchorage, Alaska 99501-2249



March 8, 2007

Polly Penhale
Environmental Officer
Office of Polar Programs
National Science Foundation
4201 Wilson Blvd.
Arlington, VA 22230

Dear Dr. Penhale:

This letter is in response to your request for concurrence with your determination that the proposed springtime cruise of the USCGC Healy in the Bering Sea is not likely to adversely affect listed species. Our response is in accordance with section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended, 16 U.S.C. 1531 *et seq.* (ESA)).

Our records indicate that the vessel will be operating within the range of Endangered Short-tailed albatross (*Phoebastria albatrus*), threatened Steller's eiders (*Polysticta stelleri*), spectacled eiders (*Somateria fischeri*), and southwest Alaska population of Northern sea otters (*Enhydra lutris kenyoni*), and the candidate species Kittlitz's murrelet (*Brachyramphus brevirostris*).

We are particularly interested in learning of any sightings the crew of the USCGC Healy make of these species while conducting this cruise, as our data for the central and Northern Bering Sea during that time of year are sparse. The Healy will be well positioned to make notable contributions to our knowledge of spectacled and Steller's eider natural history by reporting sightings of spring migration movements of these two species. We look forward to learning of any sightings of these species that vessel personnel may have. We understand that bird experts will be present on the bridge or on deck during most daylight hours, and the captain and crew will be on the bridge at other times with instructions to record sightings of these birds.

We understand that well documented records of sightings of listed species will be forwarded to our office within 30 days of the completion of this cruise. We also understand that the on-board helicopter will not be operated when flocks of spectacled eiders are visible. Given these recent clarifications of your February 9, 2007 project description (contained in an e-mail received March 6, 2007), we concur with your determination that this proposed project, as described, is not likely to adversely affect listed species or their habitats. Preparation of a biological assessment or further consultation under section 7 of the Act regarding this project is not necessary at this time. If project plans change, additional information on listed or proposed

species becomes available, or new species are listed that may be affected by the project, consultation should be reinitiated.

This letter relates only to species listed or proposed under ESA and/or designated or proposed critical habitat under our jurisdiction. It does not address species under the jurisdiction of National Marine Fisheries Service, or other legislation or responsibilities under the Fish and Wildlife Coordination Act, Clean Water Act, National Environmental Policy Act, Bald and Golden Eagle Protection Act, or Migratory Bird Treaty Act.

Thank you for your cooperation in meeting our joint responsibilities under section 7 of the Endangered Species Act. If you have any further endangered species questions, please contact me at (907) 271-2778. Please refer to consultation number 2007-I-0064 in future correspondence on this project.

Sincerely,

A handwritten signature in blue ink that reads "Gregory R. Balogh". The signature is written in a cursive style with a large, stylized 'G' and 'B'.

Gregory R. Balogh
Endangered Species Branch Chief