



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

November 16, 2015

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Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Dear Mr. Oliver:

This letter is in response to your October 16, 2015 letter regarding the ongoing Endangered Species Act (ESA) section 7 consultation on effects of the federal groundfish fisheries off Alaska on threatened Steller's eider and endangered short-tailed albatross. As you know, the U.S. Fish and Service (USFWS) reinitiated this consultation on August 12, 2015, per our request. You encouraged the USFWS and the National Marine Fisheries Service (the Services) to appropriately review all the information during the consultation and to extend the consultation schedule, as necessary, to ensure consideration of all the existing information. You noted the North Pacific Fishery Management Council's (Council's) particular interest in ensuring that any incidental take guidelines that result from this consultation are robust to increases in the short-tailed albatross population and appropriate to ensure that the fisheries will not jeopardize the continued existence of short-tailed albatross or Steller's eider while minimizing impacts on the established fishing patterns in the Bering Sea/Aleutian Islands (BSAI) and Gulf of Alaska (GOA).

Formal ESA section 7 consultation concludes within 90 days after initiation, unless the Services mutually agree to extend the consultation (50 CFR 402.14(e)). The Services have an additional 45 days to prepare a biological opinion at the conclusion of formal consultation. To date, the Services have not identified a need to extend the consultation schedule. Upon receipt of a draft biological opinion from the USFWS, we, NMFS, will notify the Council if the draft biological opinion excludes relevant information or appears to pose a threat to established fishing patterns in the BSAI or GOA and request that the USFWS extend the consultation schedule. In that instance, we would provide the Council with the draft biological opinion and request Council comments on the draft. NMFS would review the Council's comments and, as the action agency, forward all appropriate comments to the USFWS as our own. Barring any substantive concerns with the draft biological opinion, the Services will conclude formal consultation in the most reasonably expeditious time frame.

Sincerely,

For James W. Balsiger
Administrator, Alaska Region



cc: Socheata Lor, USFWS