



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

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

February 9, 2018

Michael S. Brooks, Colonel, U.S. Army  
US Army Corps of Engineers  
Alaska District  
P.O. Box 6898  
Joint Base Elmendorf/Richardson  
Anchorage, AK 99506-0898

Re: Pebble Limited Partnership copper-gold-molybdenum porphyry surface mine: request for participation as a cooperating agency for an Environmental Impact Statement


Dear Colonel Brooks:

Thank you for your letter of January 9, 2018, inviting the National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NMFS) to participate as a cooperating agency in the development of an environmental impact statement pursuant to the National Environmental Policy Act (NEPA) for the above-referenced project. We have evaluated your request and must decline at this time.

After taking part in the January 18, 2018 inter-agency meeting, we have determined that our participation as a cooperating agency is not warranted at this time. As you know, NMFS's resources are limited and will be focused on meeting our statutory obligations under the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act (MSA) with regards to the above-referenced project. There are insufficient details regarding the aspects of the proposed project that would allow us to make determinations regarding the requirements for authorization under the Marine Mammal Protection Act (MMPA) and there is currently no MMPA action. In the event that MMPA authorization is required as project details become available, we will work with the applicant to meet our obligations under NEPA and the MMPA at that time.

We expect that working together on this project through the section 7 consultation process under the ESA and the essential fish habitat consultation process under the MSA will identify, avoid, and minimize adverse impacts to NMFS's trust resources, consistent with our obligations.

Sincerely,

  
for James W. Balsiger, Ph.D.  
Administrator Alaska Region

cc:

Sheila Newman, USACE ([Sheila.M.Newman@usace.army.mil](mailto:Sheila.M.Newman@usace.army.mil))

Dale Youngkin, NOAA ([dale.youngkin@noaa.gov](mailto:dale.youngkin@noaa.gov))

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