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United States Department of Commerce
National Marine Fisheries Service
United States Department of the Interior
Fish and Wildlife Service



National Marine Fisheries Service
510 Desmond Drive S.E., Suite 103
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U.S. Fish and Wildlife Service
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NMFS Tracking No: 2001/00063
FWS Reference #: 1-3-01-F-0584

March 30, 2004

Robert M. Campagna, Program Manager
Environment and Safety
Department of the Navy
Navy Region Northwest
1103 Hunley Rd.
Silverdale, Washington 98315-11030

Re: Endangered Species Act Section 7 Consultation and Magnuson-Stevens Fishery
Conservation and Management Act Essential Fish Habitat Consultation for the Navy
EOD training program. 4th Field HUC codes 17110019, Puget Sound; 17110018,
Hood Canal.

Dear Mr. Campagna:

This letter acknowledges the completion of your initiation package for Section 7 consultation with the NOAA's National Marine Fisheries Service (NOAA Fisheries) and the U.S. Fish and Wildlife Service (USFWS) (jointly the Services) under the Endangered Species Act (ESA). The consultation concerns the possible effects of the U.S. Navy's (Navy) Explosive Ordnance Disposal (EOD) Training program on Puget Sound chinook salmon (*Oncorhynchus tshawytscha*), Hood Canal summer chum salmon (*O. keta*), Steller sea lion (*Eumetopias jubatus*), humpback whale (*Megaptera novaeangliae*), bald eagle (*Haliaeetus leucocephalus*), marbled murrelet (*Brachyramphus marmoratus*), and Coastal-Puget Sound bull trout (*Salvelinus confluentus*).

On January 8, 2001, you sent the Services a letter and biological assessment requesting informal consultation for your EOD Training operation. Because of the complexity of the consultation and the effects of the EOD operations on listed species, the Navy and the Services have had extensive coordination on the project and ways to avoid and minimize

project impacts. On October 29, 2001, the Navy conducted a field demonstration at the Crescent Harbor training site. Some of the agencies present included the Services, Washington Department of Fish and Wildlife, Swinomish Tribe, and the Skagit System Cooperative. During the field demonstration the Services requested additional information on impacts of underwater explosions to fish. The Navy sent a BA addendum to the Services providing additional information on effects of BOD Operations on Dungeness crab (*Cancer magister*), fish, and marine mammals on December 18, 2001.

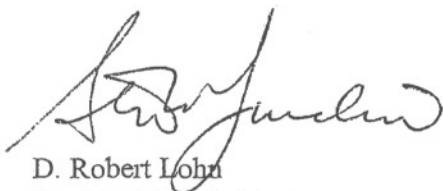
The Services sent a letter on April 18, 2002, stating we did not concur with your "may effect, not likely to adversely affect" determination for chinook salmon, chum salmon, and bull trout. This letter also identified possible options to eliminate, or reduce, negative impacts of the EOD training on listed species. The U.S. Navy identified potential minimization measures in a letter to the Services dated July 5, 2002. Through numerous email, phone contacts and meetings, the Services have requested additional information needed to initiate consultation. The Navy and the Services have also been jointly working on a monitoring plan to determine the number and diversity of species being injured and killed during underwater explosions. A final monitoring plan should be finished in the near future. On March 2, 2004, the Services received the necessary information required to initiate formal consultation. The USFWS is currently evaluating the information related to the marbled murrelet to determine whether we still concur with your "may effect, not likely to adversely affect" determination.

Section 7 allows the Services up to 90 calendar days to conclude formal consultation with your agency and an additional 45 calendar days to prepare our biological opinion (unless we mutually agree to an extension). However, based on the extensive coordination and cooperation with the Navy on this project, the Services expect to complete the biological opinion before the 135 day time frame.

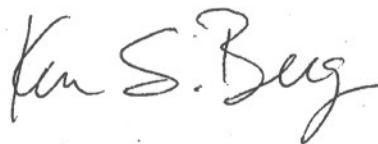
As a reminder, the ESA requires that after initiation of formal consultation, the Federal action agency may not make any irreversible or irretrievable commitment of resources that limits future options. This practice insures agency actions do not preclude the formulation or implementation of reasonable and prudent alternatives that avoid jeopardizing the continued existence of endangered or threatened species or destroying or modifying their critical habitats.

If you have any questions, please contact Bob Donnelly of the NOAA Fisheries' Washington State Branch Office at (206) 526-6117, or at: bob.donnelly@noaa.gov, or Jim Muck of the USFWS's Western Washington Fish and Wildlife Office at (206) 526-4740, or at: jim.muck@noaa.gov.

Sincerely,



D. Robert Lohn
Regional Administrator
NOAA Fisheries



Ken Berg, Manager
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Stillaguamish Tribe, Arlington
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Skagit System Cooperative, LaConner

bc: F/NWR - Davis
F/PR3 - Chief of Endangered Species
WSHO - File Copy
WSHO - Chron File
WSHO - Donnelly
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