



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668

September 28, 2023

MEMORANDUM FOR: Kimberly Damon-Randall
Director, Office of Protected Resources

FROM: Jonathan M. Kurland 
Regional Administrator

SUBJECT: Biological Opinion for Incidental Take Authorization; Cordova Harbor Rebuild Project AKRO-2023-01396 –Transmittal Memorandum

Attached please find the Alaska Region's biological opinion on the issuance of an Incidental Harassment Authorization under section 101(a)(5)(D) of the Marine Mammal Protection Act to U.S. Department of Transportation, Maritime Administration (MARAD). The proposed action entails the repair and enhancement to the City of Cordova Harbor, to be completed in two phases, with an expected start in September 2023 and expected completion in April 2025. The biological opinion evaluates the effects of the action on threatened and endangered species in accordance with section 7 of the Endangered Species Act.

We conclude the proposed action is not likely to jeopardize the continued existence of Western Distinct Population Segment (DPS) Steller sea lions. In addition, the proposed action is not likely to adversely affect Western North Pacific DPS humpback whales, Mexico DPS humpback whales, fin whales, or Steller sea lion critical habitat.

In formulating this opinion, NMFS used the best available scientific and commercial information, including the February 14, 2023 Biological Assessment and subsequent revisions; the February 14, 2023 Incidental Harassment Authorization application and subsequent revisions; stock assessment reports; recovery plans; status reviews; research on the affected species; noise impacts; sound source verification reports; clarifying email and telephone conversations between PR1, MARAD, and Solstice, and other sources of information.

Conservation recommendations are provided with the biological opinion which are intended to mitigate potential adverse effects, consistent with the action agency's responsibilities under section 7(a)(1) of the Act.

cc: rachel.wachtendonk@noaa.gov (NMFS, PR1)

