



MARINE MAMMAL COMMISSION

2 July 2010

Mr. Douglas Burn
Office of Marine Mammals Management
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Mr. Burn:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the application submitted by the Alaska Department of Transportation and Public Facilities and the Aleutians East Borough under section 101(a)(5)(D) of the Marine Mammal Protection Act. The applicants are seeking authorization to take small numbers of northern sea otters incidental to construction of a new airport, access road, and hovercraft landing area on Akun Island, Alaska; construction of a hovercraft landing and storage area on Akutan Island; and the testing and operation of a hovercraft between Akun and Akutan Islands. The Commission also has reviewed the Fish and Wildlife Service's 8 June 2010 *Federal Register* (75 Fed. Reg. 32497) notice announcing receipt of the application and requesting comments on its proposal to issue the authorization, subject to certain conditions.

On 10 November 2008 the Fish and Wildlife Service issued incidental harassment authorizations allowing the applicants to take northern sea otters by Level B harassment from 1 May 2009 to 30 April 2010. Due to funding constraints, no construction activities or hovercraft operations have been conducted to date. Except for the timing, the activities described in the current joint application request are identical to those proposed in 2008. The principal means of taking would be by disturbance resulting from construction noise, transportation of construction materials, airport operations, hovercraft testing and operations, and related support activities. The Service's *Federal Register* notice states that no dredging or pile driving would be required. Construction of the airport and transportation of construction materials would commence in 2010 and continue until the third quarter of 2011. Hovercraft testing also could commence in 2010, with sustained operations commencing in the fourth quarter of 2012 after construction is completed.

Because the activities proposed in the original application have not changed, the comments and recommendations provided in the Marine Mammal Commission's letter of 26 September 2008 regarding the original application still apply. That letter is enclosed and incorporated by reference.

Please contact me if you have any questions concerning the Commission's recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Gorkin for".

Timothy J. Ragen, Ph.D.
Executive Director

Enclosure