

UNITED STATES DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration NATIONAL MARINE FISHERIES SERVICE

West Coast Region 1201 NE Lloyd Boulevard, Suite 1100 PORTLAND, OR 97232-1274

Refer to NMFS No.: WCRO-2023-03230

April 17, 2024

Todd N. Tillinger, P.E. Lead Environmental Protection Specialist Federal Transit Administration Region 10 – AK, ID, OR, WA 915 2nd Ave, Suite 3192 Seattle, Washington 98174

Re: Revisions to the Biological Opinion for WCRO-2023-03230 - Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Sound Transit Operation and Maintenance Facility South Project

Dear Mr. Tillinger:

On May 23, 2024, NOAA's National Marine Fisheries Service (NMFS) issued its Biological Opinion (Opinion) and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Sound Transit Operation and Maintenance Facility South Project. This letter corrects errors in that condensed biological opinion. The errors are non-substantive and do not warrant a re-initiation evaluation, but should be corrected to avoid confusion.

- 1) In the second paragraph, under the Amount or Extent of Take the sentence, "In this case the extent of take 25.47 acres of impervious area (~24 acres of existing and ~1 acre of new) should be replaced with, "In this case the extent of take is 25.47 acres of PGIS (~24 acres of existing and ~1 acre of new)."
- 2) The list of species and critical habitat at the end of the NLAA section on pages 17 and 18 should be replaced with "the Puget Sound/Georgia Basin distinct population segments of bocaccio and yelloweye rockfish, and Southern Resident Killer Whales (SRKW) and SRKW critical habitat."

The remainder of Biological Opinion remains unchanged. Similarly, the Reinitiation of Consultation section remains in effect as described in the Opinion and these corrections to the Term and Conditions do not trigger reinitiation of this consultation. With respect to the Magnuson-Stevens Fisheries Conservation Act (MSA), the analysis and conclusions reached for Essential Fish Habitat (EFH) are similarly unaffected by the proposed edits and the EFH Conservation Measures remain in effect, as documented in the Opinion.



Please attach this erratum sheet to the Opinion in your records. Please contact Phyllis Meyers at phyllis.meyers@noaa.gov if you have any questions concerning this consultation, or if you require additional information.

Sincerely,

Kathleen Wells

Assistant Regional Administrator Oregon Washington Coastal Office

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cc: Becki Kniveton, Sound Transit