



NMFS Tracking No.:
2001/01067

October 8, 2003

John Phipps, Forest Supervisor
Mt. Baker-Snoqualmie National Forest
21905 64th Avenue West
Mountlake Terrace, Washington 98403-2278

Crystal 3

Re: Endangered Species Act Section 7 Informal Consultation and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the Crystal Mountain Master Development Plan, and the Noxious Weed Control Project in the Mount Baker-Snoqualmie National Forest. WRIAs 1, 3, 6 and 10.

Dear Mr. Phipps:

This correspondence is in response to your request for consultation under the Endangered Species Act (ESA). Additionally, this letter serves to meet the requirements for consultation under the Magnuson Stevens Fishery Conservation and Management Act (MSA).

Endangered Species Act

NOAA's National Marine Fisheries Service (NOAA Fisheries) has reviewed the Biological Assessments (BAs) for the projects discussed with U.S. Forest Service (FS) at the Level I consultation meeting on September 2, 2003. The FS requested NOAA Fisheries concurrence with an effect determination of "may affect, not likely to adversely affect" for Puget Sound chinook salmon (*Oncorhynchus tshawytscha*). This consultation with the FS is conducted under section 7(a)(2) of the ESA, and its implementing regulations, 50 CFR 402.

Crystal Mountain Master Development Plan

The FS proposes to issue a Special Use Permit to Crystal Mountain Inc. to expand the facilities at the Crystal Mountain Ski Resort adjacent to, and northeast of, the Mount Rainier National Park. Crystal Mountain Inc. wants to increase the number of ski runs and associated chair lifts as well as other recreational and tourist related facilities. The ski area is located near the upper limit of the tree line. All of this work is located in the upper Silver Creek watershed about three miles upstream of its confluence with the White River. Only the lowest portion of Silver Creek (less than 1/2 mile) is accessible to chinook salmon.





United States Department of the Interior

FISH AND WILDLIFE SERVICE

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In Reply Refer To:
1-3-03-I-1902

OCT 28 2003

John Phipps, Forest Supervisor
Mt. Baker-Snoqualmie National Forest
Supervisor's Office
21905 64th Avenue West
Mountlake Terrace, Washington 98043

Crystal 3

Dear Mr. Phipps:

This document transmits the Biological Opinion (Opinion) and letter of concurrence of the U.S. Fish and Wildlife Service (FWS) based on our review of the July 30, 2003, Biological Assessment (USDA 2003b) addressing the effects of the Master Development Plan of Crystal Mountain Inc. for activities and improvements (Proposed Action) to be made over a 10-year period within the Crystal Mountain Special Use Permit area in Pierce County, Washington. In your letter dated July 30, 2003, received by this office July 31, 2003, the Mt. Baker-Snoqualmie National Forest requested concurrence with determinations for listed species under section 7 of the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 *et seq.*), as amended. You determined that the Proposed Action *may affect, but is not likely to adversely affect* the threatened bull trout (*Salvelinus confluentus*), the threatened grizzly bear (*Ursus arctos*), the endangered gray wolf (*Canis lupus*), and the threatened Canada lynx (*Lynx canadensis*) (lynx). You also concluded that the Proposed Action would have *no effect* on the threatened northern spotted owl (*Strix occidentalis caurina*) and its critical habitat, the threatened marbled murrelet (*Brachyramphus marmoratus*) (murrelet) and its critical habitat, and the threatened bald eagle (*Haliaeetus leucocephalus*). We reviewed the Biological Assessment under the Level 1 Streamlining Process and are providing concurrence with your determination for bull trout, grizzly bear, and gray wolf and acknowledge your conclusion for the northern spotted owl, murrelet and bald eagle. We are providing you with this Opinion prepared in accordance with section 7 of ESA to evaluate the Proposed Action's effects on lynx.

This Opinion and letter of concurrence is based on numerous meetings and other communications between our staff and your staff--especially with Larry Donovan, Jesse Plumage, and Tyler Patterson--field investigations, and other sources. This Opinion and letter of concurrence is also based on information contained in the following documents: the *April 2003 Crystal Mountain Final Environmental Impact Statement* (USDA 2003a), the *Forest Ecosystem*