UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, Washington 98115

April 15, 2016

Memorandum For: William W. Stelle, Jr.
Regional Administrator
West Coast Region

From: Robert Turner
Assistant Regional Administrator
Sustainable Fisheries Division

Subject: Joint State/Tribal Hatchery and Genetic Management Plans Submitted by the Washington Department of Fish and Wildlife, with the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribe, Stillaguamish Tribe, and Tulalip Tribes for Dungeness River, Nooksack River, and Stillaguamish River Hatchery Early Winter Steelhead, Under Limit 6 of the Endangered Species Act 4(d) Rule (50 CFR 223.203(6)) (65 FR 42422, July 10, 2000) – **DECISION MEMORANDUM**

Issue

The Washington Department of Fish and Wildlife (WDFW), with the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribe, Stillaguamish Tribe, and Tulalip Tribes as co-managers of the fisheries resource under *United States* v. *Washington* (1974) (hereafter also referred to as "the co-managers"), provided three joint Hatchery and Genetic Management Plans (HGMP) as a resource management plan for Dungeness River, Nooksack River, and Stillaguamish River Early Winter Steelhead (EWS) hatchery programs. The co-managers provided the HGMPs in July 2014 as the proposed frameworks through which the state and tribal jurisdictions will jointly manage EWS artificial propagation in the three watersheds, while meeting requirements specified under the Endangered Species Act (ESA). The plans were submitted for review and determination by National Marine Fisheries Service (NMFS) that they meet the requirements of Limit 6 of the ESA 4(d) Rule, 50 CFR 223.203(b)(6) (July 10, 2000; 65 FR 42422, as amended June 28, 2012, 70 FR 37160).

Recommendation

The NMFS Sustainable Fisheries Division (SFD) has evaluated the HGMPs (Table 1) and finds that the plans meet all of the requirements specified in Limit 6 of the ESA 4(d) Rule, including the criteria for HGMPs in Limit 5 of the Rule. SFD recommends that these HGMPs be approved, and the West Coast Region issue its written determination on the HGMPs to the co-managers,

provided that the plans are implemented in accordance with the section on implementation terms at the end of this memo.

Table 1. EWS Hatchery and Genetic Management Plans in the Dungeness, Nooksack, and Stillaguamish River Watersheds Submitted by the Co-managers to NMFS under Limit 6 of the ESA 4(d) Rule.

Hatchery and Genetics Management Plan (Program Type)	Funding Agency
Dungeness River Hatchery EWS Program (Isolated) (WDFW 2014a)	WDFW
Kendall Creek Hatchery EWS Program (Isolated) (WDFW 2014b)	WDFW
Whitehorse Ponds EWS Program (Isolated) (WDFW 2014c)	WDFW

Background

NMFS issued a final ESA 4(d) Rule adopting regulations necessary and advisable to conserve salmon and steelhead listed under the ESA (50 CPR 223.203 (65 FR 42422, July 10, 2000; amended June 28, 2005; 70 FR 37160). The ESA 4(d) Rule applies the prohibitions enumerated in section 9(a)(l) of the ESA to the threatened species identified, and also prescribes specific circumstances when the prohibitions will not apply, which are known as 4(d) limits. In July 2014, NMFS received three HGMPs from the co-managers describing EWS hatchery programs affecting listed Puget Sound steelhead, Puget Sound Chinook salmon, and Hood Canal summer chum salmon in 2015 and beyond. The co-managers submitted the three HGMPs for evaluation by NMFS for compliance with Limit 6 ESA 4(d) Rule criteria.

The EWS hatchery programs proposed by the co-managers (Table 1) are described in detail in the HGMPs (WDFW 2014a; 2014b; 2014c). As part of a consent decree entered into the Federal Court by WDFW and a non-governmental organization to settle litigation, juvenile fish produced through the three programs described in the HGMPs were not released in 2014 or 2015. Under the consent decree, WDFW cannot release any juvenile EWS until WDFW has ESA take coverage for EWS hatcheries (such as an approved HGMP under a 4(d) limit), or until 2 ½ years after entry of the decree, or approximately October 25, 2016. Pending NMFS' authorization, all three programs would release EWS in 2016 for recreational and tribal fisheries harvest augmentation purposes.

All steelhead produced through the three plans are derived from broodstock native to Puget Sound, but not native to the watersheds where the fish would be planted. These fish were selectively bred over decades for an early return time, so that, in general, they return significantly earlier than wild winter steelhead. The EWS stock released through the programs is not included as part of the listed Puget Sound steelhead DPS. The Dungeness River Hatchery EWS program began operating in 1995 to provide EWS for harvest in Dungeness River recreational fisheries managed by WDFW, and in Jamestown S'Klallam tribal net fisheries. Smolt releases would be reinitiated in 2016 to meet these same objectives. The Kendall Creek Hatchery EWS program began releasing smolts into the North Fork Nooksack River watershed in 1998. With reinitiation of releases in 2016, adult early winter steelhead returning to the watershed would

again be harvested in recreational fisheries, and in Lummi Nation and Nooksack Tribe net fisheries. EWS have been propagated and released into the North Fork Stillaguamish River through the Whitehorse Ponds Hatchery program since 1964. In-river recreational fisheries and Stillaguamish tribal net fisheries would again harvest adult EWS produced by the program when releases recommence and resultant adults return.

Protocols applied through the three programs would minimize potential risks to associated listed natural-origin steelhead, Chinook salmon, and (for the Dungeness River program) summer chum salmon populations in each of the watersheds where the programs are located. Particular emphasis is placed on ensuring that returning adult hatchery EWS do not interact to a substantial degree with natural-origin steelhead populations in natural spawning areas. Hatchery management measures are applied to reduce the risk of spatial and temporal overlap, straying, and interbreeding between EWS and natural-origin steelhead. The three HGMPs share very low genetic effects on natural-origin steelhead - estimated "0" hatchery fish contribution or gene flow - demonstrated based on DNA sampling results and other genetic introgression effects analyses (Warheit 2014; Hoffmann 2014).

As part of the proposed hatchery programs, monitoring and evaluation would be implemented to assess the programs' effects on ESA-listed natural-origin steelhead, Chinook salmon, and summer chum salmon, and program performance in meeting harvest augmentation objectives. The plans emphasize monitoring and evaluation of genetic effects as a key objective (Anderson et al. 2014) to validate that effects are, and will remain, low and within levels identified as posing unsubstantial risks to listed natural-origin steelhead. Information gained through monitoring and evaluation will also be used to assess whether levels for other hatchery-related program impacts on listed fish (e.g., hatchery facilities, competition and predation) are unsubstantial and as expected. Review of the HGMPs by NMFS and the co-managers will occur annually to evaluate whether assumptions regarding HGMP effects and analyses remain valid, and whether the objectives of the HGMPs are being accomplished.

Discussion

Controversial Issues

Although not the subject of current on-going or pending litigation, the three EWS hatchery programs described in the HGMPs may be considered controversial. All three programs were temporarily suspended in 2014 as part of a settlement agreement between WDFW and a non-governmental organization (NGO - Wild Fish Conservancy) that was concerned about the environmental effects of EWS hatchery program. Based on the lawsuit and settlement agreement, and the ongoing interest in these programs by Wild Fish Conservancy and several other environmental organizations that have generated controversy among their supporters about continuance of EWS programs, the programs may be considered controversial. However, considering the best available scientific information as the context for gauging controversy, the programs are not controversial. The three EWS programs under consideration for ESA authorization by NMFS have been shown, based on the best available data and science, to pose

negligible to low risks to listed fish populations, including steelhead. No groups or commenters have presented any substantive information that warrants reconsideration of the scientific data and analyses NMFS used to indicate steelhead program effects, or the NMFS "negligible to low" risk conclusions regarding levels of effects. The HGMPs describing the programs incorporate best management practices and hatchery reforms considered necessary to meet each plans' harvest augmentation objectives, while minimizing potential risks to ESA-listed species, including steelhead. Regardless, SFD believes it likely that at least one of the NGOs that have provided comments (see below) on NMFS' National Environmental Policy Act (NEPA) and ESA effects evaluation documents will file a lawsuit challenging any final determinations made that would authorize the EWS programs under the ESA 4(d) rule.

Public Review and Comment

On March 26, 2015, NMFS published in the Federal Register notification of the availability of its ESA 4(d) Rule proposed evaluation and pending determination (PEPD) for the three joint HGMPs for public review and comment (80 FR 15984). Together with release of the PEPD for review, NMFS also announced availability of a draft Environmental Assessment (EA) to evaluate the effects on the human environment of NMFS' proposed 4(d) limit 6 determination and alternatives to that proposed determination (80 FR 15984). The public review and comment period for the PEPD and draft EA was open from March 26, 2015, to April 27, 2015. During the public comment period, NMFS received comments on the two documents from: six NGOs; approximately 2,170 individuals provided as form-emails that emanated from action alerts from three NGOs; and 18 individuals provided in regular emails. Substantive comments specifically addressing the PEPD announced for public review were received from two NGOs: Wild Fish Conservancy (also acting on behalf of Center for Biological Diversity and Wild Steelhead Coalition) and Trout Unlimited. NMFS SFD's written responses to the comments received from these organizations are included in Attachment 3. None of the comments provided by the Wild Fish Conservancy and Trout Unlimited that pertained to the PEPD raised issues that required substantive modification of the NMFS ESA 4(d) evaluation and determination document (the ERD). In response to the comments, minor revisions were made in the ERD to clarify language included in the HGMP action description and effects evaluation sections. The vast majority of comments received in response to the Federal Register Notice addressed the draft EA, with nearly all responders commenting that the EA inadequately addressed environmental effects and that an Environmental Impact Statement (EIS) was required.

After considering comments provided on the draft EA, NMFS decided to prepare an EIS. A draft EIS (DEIS) was made available for public review and comment on November 13, 2015 (80 FR 70206). The comment period was open for 45 days, from November 13th through December 28th, 2015. NMFS did not announce the PEPD for a second round of public comment with the DEIS. However, one NGO (Wild Fish Conservancy) resubmitted its comments on the PEPD that were previously provided in response to NMFS' March 26, 2015 FRN that announced both the PEPD and draft EA for public review and comment (80 FR 15984). Again, none of the group's comments pertaining to the PEPD raised issues that required substantive modification of the NMFS ESA 4(d) document (the ERD).

One comment that NMFS received from several commenters is worth noting in light of Wild Fish Conservancy's recently filed lawsuit alleging NMFS' failure to timely issue a recovery plan for Puget Sound steelhead. Several commenters, including Wild Fish Conservancy, commented that NMFS cannot issue a 4(d) rule approval for the EWS programs prior to completing a recovery plan. This is contrary to the language and structure of the ESA. There is nothing in the statute or implementing regulations that requires the existence of a recovery plan before the Services can complete consultations under ESA § 7, or issue a decision under a 4(d) rule. Neither § 7 nor § 4(d) reference § 4(f), which governs the development of recovery plans (16 USC § 1533 & § 1536).

Evaluation of Federal Actions under the ESA Section 7 and the Magnuson-Stevens Act Essential Fish Habitat

The Federal action is NMFS' approval of the HGMPs based on the NMFS determination of whether or not the hatchery plans meet ESA 4(d) Rule criteria and qualify for limits on section 9 take prohibitions. The SFD prepared an ESA section 7 biological opinion to evaluate the effects of the action on listed Puget Sound Chinook and Puget Sound steelhead (Attachment 1). As described in the biological opinion, approval of the HGMPs is not likely to jeopardize the continued existence of the listed Puget Sound steelhead DPS or Puget Sound Chinook salmon ESU, nor result in the destruction or adverse modification of their critical habitat where designated. Adequate measures are proposed to monitor the performance and effects of the programs, including the proportion of hatchery EWS adults spawning naturally and the genetic and ecological effects of the programs on listed fish. The effects of take associated with implementation of the Dungeness River Hatchery EWS program on the Hood Canal Summer Chum salmon ESU were previously evaluated and authorized by NMFS through a separate ESA section 7 consultation process (NMFS 2002a).

The SFD also considered the potential effects of the proposed action on other ESA-listed species. We determined that the proposed action would have no effect on southern resident killer whales, because the number of fish released by the programs represents a very small proportion of the United States and Canadian-origin salmon that could serve as prey for killer whales.

On January 28, 2015, NMFS requested formal consultation with the USFWS under ESA Section 7 regarding the effects on listed species regulated by USFWS of NMFS' proposed 4(d) limit 6 determination that the three EWS HGMPs met all of the requirements specified under Limit 6 of the ESA 4(d) Rule for salmon and steelhead. NMFS subsequently reassessed the effects of the Whitehorse Ponds (Stillaguamish) program. Based on information indicating effects on bull trout would be negligible or very low, SFD requested on March 3, 2016, that our previous request for formal consultation for the Whitehorse Ponds program be rescinded, and that the Service concur with a "not likely to adversely affect" (NLAA) determination for the program (NMFS 2016). In a March 29, 2016 letter, USFWS concurred with the NMFS NLAA determination for the Whitehorse Ponds EWS program (USFWS 2016a). For the Dungeness River Hatchery and Kendall Creek Hatchery EWS programs, USFWS completed section 7

reviews of effects on listed species under the Service's regulatory purview (e.g., bull trout) of NMFS' proposed ESA 4(d) determination. USFWS concluded its formal consultations with NMFS for the two programs by determining that the NMFS action is not likely to jeopardize the continued existence of the bull trout DPS, or to destroy or adversely modify designated critical habitat for the DPS (USFWS 2016b; 2016c). Further, the USFWS found that the Dungeness River Hatchery EWS program is not likely to jeopardize the continued existence of marbled murrelets, and effects on northern spotted owls are discountable and insignificant. These bird species are not found in the Nooksack River basin action area.

The SFD also analyzed the effects of the actions on Essential Fish Habitat (EFH) under the Magnuson-Stevens Act; the EFH analysis is included in Attachment 1. We determined that the effects of the action on EFH are likely to be within the range of effects considered in the ESA Section 7 analysis, and concluded that the proposed actions are not likely to adversely affect Pacific salmon EFH. There will be minimal, if any, disturbance of vegetation, and negligible harm to Pacific salmon spawning and rearing habitat, and to water quantity and water quality. What small adverse effects on EFH that might occur as a result of facility operations for one of the three programs (Dungeness River Hatchery water intake structure and screening effects) would be adequately addressed by the steps described in the Dungeness River Hatchery EWS HGMP and in the NMFS biological opinion. Also, Reasonable and Prudent Measures and Terms and Conditions included in the opinion constitute NMFS recommendations to address potential EFH effects. NMFS shall ensure that these measures and terms and conditions are carried out. Although NMFS has found that the action is not likely to adversely affect EFH, one conservation recommendation was included with the NMFS EFH analysis to address potential hatchery program effects on EFH in natural spawning and rearing areas.

Evaluation of HGMPs under the ESA 4(d) Rule

Attachment 2 is NMFS' evaluation of whether the EWS HGMPs meet all of the requirements specified under Limit 6 of the ESA 4(d) Rule for steelhead, Chinook salmon, and Hood Canal summer-run chum salmon. The NMFS SFD determined that the three EWS HGMPs provided by WDFW, the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribe, Stillaguamish Tribe, and Tulalip Tribes meet all of the requirements in Limit 6 of the ESA 4(d) Rule.

Evaluation of NMFS' Proposed Determination under the NEPA

After considering comments provided on the draft EA last spring, NMFS decided to prepare an EIS. Accordingly, SFD drafted a DEIS that considered the effects of the proposed action and alternatives to those actions on the human environment. As alternatives to the proposed action, the EIS also evaluated the effects of closing the EWS programs, reducing by one-half the number of EWS produced by the programs, and replacement of EWS with steelhead native to each watershed for use as broodstock to implement the hatchery programs.

As described above, the draft EIS was made available for a 45 day public comment period. During the public comment period, NMFS received letters or individual emails from: five NGOs;

four recreational fishing organizations; three Puget Sound Treaty Tribes; four state, federal, and tribal governmental agencies; and twenty individuals with recreational fishing interests. NMFS also received a total of 1,967 form-emails that resulted from action alerts from two recreational fishing organizations, one individual with recreational fishing interests, and one unknown source. The most substantive submissions were received from two NGOs, one state agency, one tribal agency, and two private citizens: Wild Fish Conservancy; Trout Unlimited/Wild Steelhead Initiative; Washington Department of Fish and Wildlife; Northwest Indian Fisheries Commission; Frank Urabek (private citizen); and Bill McMillan (private citizen). Comments on the DEIS ranged widely, from statements calling for termination of the EWS programs because of ecological and genetic risks posed to listed steelhead, to statements arguing for increases in EWS smolt releases because of the lack of any substantive adverse effects on natural steelhead populations. Many comments pertained to the need to continue EWS production as described under the Proposed Action, because the programs are the lone means through which fishing opportunities for steelhead are provided in Puget Sound. Other comments challenged genetic and ecological effects findings included by NMFS for the EWS programs in the DEIS. One NGO supported transition of the EWS programs to integrated programs, using native steelhead as broodstock; a private citizen strongly opposed transition to an integrated program approach. Comments from the tribes and a tribal organization emphasized the importance of the programs for the exercise of tribal treaty fishing rights.

In response to comments, NMFS revised the DEIS to clarify, correct, or refine environmental baseline descriptions, and proposed action and alternative effects evaluation sections. After considering these comments, NMFS decided on a Preferred Alternative, and revised the DEIS accordingly in forming a final EIS (FEIS). NMFS also responded to all of the comments in an appendix to the FEIS. The FEIS, with changes from the DEIS marked, is available at: http://www.westcoast.fisheries.noaa.gov/hatcheries/pshatcheries/ps_ews_feis.html. The FEIS was available for a 30-day public review period. A review of the comments on the FEIS revealed that no substantive issues were raised that had not already been raised in public comments on the DEIS and addressed in the preparation of the FEIS. The FEIS's Record of Decision is included as an attachment (Attachment 4).

Implementation Terms

The three HGMPs include performance standards and indicators designed to identify, monitor, and evaluate the effects of the salmon hatchery actions on listed fish, and performance of the hatchery programs in meeting EWS fisheries harvest augmentation objectives. Monitoring actions proposed to evaluate the performance indicators are identified in sections 1.0 and 11.0 of the HGMPs. NMFS supports data collection and reporting of the results for the identified monitoring and evaluation activities to determine the performance and effects of the EWS hatchery actions. Of particular importance are monitoring and evaluation actions addressing the genetic effects of the EWS hatchery programs on natural-origin steelhead populations in the Dungeness River, Nooksack River, and Stillaguamish River watersheds. These monitoring and evaluation actions include, but are not limited to:

- Monitoring steelhead escapement to the Dungeness River, Nooksack River, and Stillaguamish River watersheds to estimate the total number of hatchery-origin and natural-origin fish escaping to natural spawning areas and the hatchery release sites each year. This monitoring will allow for assessment of the status of the natural steelhead populations affected by the hatchery actions, the incidence of EWS spawning in areas used by natural steelhead, and the success of the EWS programs in achieving smolt to adult return survival objectives.

- Monitoring the level of gene flow between naturally spawning EWS and the associated natural-origin steelhead populations in the Dungeness, Nooksack, and Stillaguamish River watersheds through analyses of natural and EWS steelhead demographic (natural spawning adult abundance, spatial and temporal spawn timing), mark/tag, and genetic (DNA) data collected from juvenile and adult fish.

- Monitoring and evaluating competition and predation risks to natural-origin steelhead and/or Chinook salmon juveniles by annually monitoring, through ongoing WDFW and tribal juvenile salmonid outmigrant trapping programs, the statistical week incidence of EWS hatchery-origin smolts in downstream areas relative to the total number of EWS smolts released for at least one month after smolt release. Data regarding the abundances, emigration timings, and individual fish sizes for hatchery-origin steelhead smolts, and natural-origin juvenile steelhead and Chinook salmon, encountered through juvenile outmigrant trapping in the lower Dungeness, Nooksack, and Stillaguamish Rivers will also be collected. The effects of the juvenile out-migrant trapping programs on listed salmon have been reviewed and authorized through separate ESA consultations (NMFS 2009; NMFS 2015).

- Monitoring all incidences of juvenile natural-origin Chinook salmon and steelhead entrainment and mortality associated with screening at all EWS hatchery facilities.

- Annually monitoring the total numbers, individual sizes, and release timings of EWS smolts produced at each hatchery location.

To help ensure consistency with the NMFS effects findings and ESA determinations for the proposed hatchery actions, WDFW, the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribes, Stillaguamish Tribe, and Tulalip Tribes must comply with the following implementation terms in operating the programs described in the HGMPs. These terms respond to monitoring, take accounting, and reporting regulations for hatchery actions specified in subparagraphs 5(ii) and 5(iii) of Limit 5 of the ESA 4(d) Rule, and are applied to hatchery actions under Limit 6.

(1) Monitor the annual abundance, diversity, spatial structure, and productivity status of the natural steelhead populations that may be affected by the EWS hatchery programs relative to NMFS Puget Sound Steelhead DPS population viability objectives (Hard et al.

2015) to guide decisions regarding adjustment or continuation of the EWS hatchery programs.

(2) Monitor the level of gene flow between naturally spawning EWS and the associated natural-origin steelhead populations in the Dungeness, Nooksack, and Stillaguamish River watersheds through analyses of natural and EWS demographic (natural spawning abundance, spatial and temporal spawn timing), mark/tag, and genetic (DNA) data collected from juvenile fish and/or adult returns.

(3) Monitor the level of competition and predation between EWS hatchery smolts and juvenile steelhead and Chinook salmon from natural populations through analysis of the statistical weekly incidence of EWS hatchery-origin smolts in downstream areas relative to the total number of EWS smolts released, and the emigration timings and individual fish sizes for EWS smolts, and natural-origin juvenile steelhead and Chinook salmon encountered through juvenile outmigrant trapping in the lower Dungeness, Nooksack, and Stillaguamish Rivers.

(4) Mark and/or tag all EWS smolts released each year through the hatchery programs as described in the HGMPs to allow for the differentiation of hatchery- and natural-origin juvenile and adult steelhead in the natural environment, assessment of hatchery program effects on listed fish, and monitoring and evaluation of program performance in meeting stated conservation or fisheries harvest augmentation objectives.

(5) Maintain annual releases of EWS smolts at levels that do not exceed maximum abundance levels described in the proposed HGMPs.

(6) Annually report numbers, pounds, dates, tag/mark information, locations of EWS smolt releases, results of monitoring and evaluation activities that occur within the hatchery environment, and adult return numbers by fish origin to any naturally spawning area and to the hatchery programs. Reports shall also include: analyses of any scientific research data collected in direct association with the hatchery programs; documentation of any problems that may have arisen during conduct of the authorized activities; a statement as to whether or not the activities had any unforeseen effects; and steps that have been and that will be taken to coordinate research or monitoring activities with those of other researchers.

Consistent with subparagraph 5(vi) of Limit 5 of the ESA 4(d) Rule, it is NMFS' intent to regularly communicate with WDFW, the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribes, Stillaguamish Tribe, and Tulalip Tribes regarding the effectiveness of the HGMPs in meeting performance standards, including the programs' effects on listed steelhead and Chinook salmon population viability. All reports, as well as all other notifications required through the 4(d) determination, should be submitted to NMFS, attention to:

Tim Tynan
Anadromous Production and Inland Fisheries Branch
Sustainable Fisheries Division
National Marine Fisheries Service – West Coast Region
510 Desmond Drive, Suite 103
Lacey, Washington 98503

Summary

NMFS SFD concludes that the joint HGMPs provided by WDFW, the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribe, Stillaguamish Tribe, and Tulalip Tribes for Dungeness River Hatchery, Kendall Creek Hatchery, and Whitehorse Ponds Hatchery EWS meet all of the requirements for HGMPs under Limit 6 of the ESA 4(d) Rule. As described above, all of the necessary administrative and biological requirements have been met for the approval of the co-managers' HGMPs. SFD recommends that the hatchery programs described by the joint HGMPs qualify for limitation of take prohibitions pursuant to Limit 6 of the 4(d) Rule provided that they are implemented in accordance with the implementation terms and reporting requirements described in NMFS' letter of concurrence. SFD recommends that you concur with the implementation of the HGMPs.

I concur with your recommendation to approve WDFW's, the Jamestown S'Klallam Tribe's, Lummi Nation's, Nooksack Tribe's, Stillaguamish Tribe's, and Tulalip Tribes' implementation of the Dungeness River Hatchery, Kendall Creek Hatchery, and Stillaguamish Hatchery EWS HGMPs, provided the plans are implemented in accordance with the section on implementation terms described above.

William Stelle

April 15, 2016

William W. Stelle, Jr.
Regional Administrator
West Coast Region
National Marine Fisheries Service

Date

I do not concur with your recommendation to approve WDFW's, the Jamestown S'Klallam Tribe's, Lummi Nation's, Nooksack Tribe's, Stillaguamish Tribe's, and Tulalip Tribes' implementation of the Dungeness River Hatchery, Kendall Creek Hatchery, and Stillaguamish Hatchery EWS HGMPs.

William W. Stelle, Jr.
Regional Administrator
West Coast Region
National Marine Fisheries Service

Date

cc (w/ attachments): F/WCR-SFD: Tim Tynan, Sharon Houghton (file number: WCR- 2013-9701)
GC-NW: Sheila Lynch, Chris Fontecchio

Attachment 1: 4(d) rule Limit 6 Evaluation and Recommended Determination Document
Attachment 2: Section 7 Biological Opinion, including EFH and DQA analyses
Attachment 3: Responses to Public Comments
Attachment 4: Record of Decision

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