



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
Sustainable Fisheries Division
510 Desmond Drive SE, Suite 103
Lacey WA, 98503

June 17, 2016

Bruce McIntosh
Assistant Fish Division Administrator
Oregon Department of Fish and Wildlife
3406 Cherry Avenue NE
Salem, OR 97303

Dear Mr. McIntosh:

NOAA's National Marine Fisheries Service (NMFS) has evaluated four Oregon Department of Fish and Wildlife (ODFW) Hatchery and Genetic Management Plans (HGMPs) for hatchery programs in the Sandy River basin of Oregon. The HGMPs describe artificial propagation programs raising and releasing Sandy River spring Chinook salmon, Sandy River coho salmon, and Sandy River winter and summer steelhead. The HGMPs were submitted for NMFS concurrence under Limit 5 of the Endangered Species Act (ESA) 4(d) Rule for salmon and steelhead, 50 CFR 223.203 (July 10, 2000; 65 FR 42422, amended June 28, 2012, 70 FR 37160).

The programs are designed to meet mitigation responsibilities related to impacts from development in the Sandy River and Columbia River basins by providing hatchery fish to support fishing opportunities. The programs are also designed to be consistent with Oregon's Lower Columbia River Conservation and Recovery Plan for Oregon Populations of Salmon and Steelhead. The duration of each hatchery program is open-ended.

The spring Chinook salmon program and the winter steelhead program will intentionally collect and incorporate natural-origin adults into the broodstock to reduce the potential for genetic divergence between the hatchery and natural-origin populations. The spring Chinook salmon program will collect and spawn up to 42 natural-origin male spring Chinook salmon at the maximum production level of 300,000 smolts. The winter steelhead program will collect and spawn up to 26 natural-origin male winter steelhead for the 160,000 smolt release. The number of natural-origin adults collected annually would be limited such that no more than 2% of the natural-origin adults returning to the Sandy River would be retained for broodstock. The natural-origin males will be live spawned and then returned to natural spawning areas in the Sandy River where they can potentially spawn again.

Two important aspects of the HGMPs are the performance standards for operating each hatchery program and the comprehensive monitoring and evaluation to assess compliance with these standards. Primary areas of emphasis for monitoring include:

- the proportion of each naturally spawning population that consists of hatchery-origin fish,
- impacts of the operation of the weirs, and
- ecological interactions between hatchery and natural-origin juveniles.

Information gained through monitoring and evaluation will be used to confirm whether the effects of the programs on listed fish are within the limits anticipated in the HGMPs.

After evaluation of the HGMPs with respect to the criteria specified for Limit 5, NMFS has determined that the HGMPs meet all of the criteria. ESA take prohibitions under the 4(d) Rule do not apply to the artificial propagation activities specified in the four Sandy River HGMPs provided that such activities are managed in accordance with the appropriate plan, and are implemented in accordance with the following implementation and reporting requirements. ODFW must comply with the following implementation terms in operating the programs described in the HGMPs:

- (1) The annual collection of natural-origin Sandy River spring Chinook salmon and winter steelhead for broodstock will consist of males only, be limited to a maximum of 42 spring Chinook salmon and 26 winter steelhead, and not exceed 2% of the natural-origin adults returning to the Sandy River Basin.
- (2) Comply with actions necessary to ensure that the proportion of hatchery fish in the naturally spawning population (pHOS) is less than 10 percent for spring Chinook salmon and winter steelhead, and less than 5 percent for coho salmon and summer steelhead.
- (3) Spawning ground surveys must be conducted sufficient to verify that standards for pHOS continue to be met.
- (4) Monitor and report annually on the effects of handling at weirs and on observations of undue delay at weirs and altered spawning distribution.
- (5) All hatchery fish returning to the hatchery or to a weir must be removed unless being recycled for fisheries as described in the winter steelhead and summer steelhead HGMPs.

Consistent with subparagraph 5(vi) of Limit 5 of the ESA 4(d) Rule, it is NMFS' intent to communicate regularly with ODFW regarding the effectiveness of the HGMPs in meeting performance standards, including the programs' effects on listed salmon and steelhead productivity and survival. Review of the HGMPs by NMFS and the ODFW will occur annually to evaluate whether the objectives of the HGMPs are being accomplished.

All reports, as well as all other notifications required in the HGMPs, should be submitted to NMFS at:

Rich Turner
 NMFS—West Coast Region
 Sustainable Fisheries Division
 1201 N.E. Lloyd Boulevard, Suite 1100
 Portland, OR 97232

Thank you for the time your staff has invested in developing the HGMPs for the Sandy River hatchery programs. NMFS looks forward to continuing to work with you on the implementation of these programs and on-going recovery efforts in the basin.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Turner". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Turner".

Robert Turner
Assistant Regional Administrator
Sustainable Fisheries Division

cc: Todd Alsbury, ODFW
Scott Patterson, ODFW

bcc:

(all electronic) Rob Jones, Rich Turner, Robert Bayley
Sharon Houghton (file copy; PCTS number: #2011/02491)
Chris Fontecchio, GCNW (electronic)