



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington Fish and Wildlife Office
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In Reply Refer To:
01EWF00-2021-I-0234

Allyson Purcell, Chief
Anadromous Production and Inland Fisheries Branch
Sustainable Fisheries Division, National Marine Fisheries Service
ATTN: Scott Sebring
1201 NE Lloyd Boulevard, Suite 1100
Portland, Oregon 97232-1274

Dear Ms. Purcell:

Subject: Changes to Five Hatchery Genetic Management Plans in the
Hood Canal Region

This letter is in response to your November 20, 2020, request for our concurrence with your determination that implementation of five Hatchery Genetic Management Plans (HGMPs) in the Hood Canal region, Mason County, Washington, “may affect, but is not likely to adversely affect” federally-listed species and designated critical habitat. We received your letter and Biological Assessment, providing information in support of “may affect, not likely to adversely affect” determinations, on November 20, 2020. Specifically, you requested informal consultation pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act) for the federally-listed species and designated critical habitat identified below:

- Bull trout (*Salvelinus confluentus*)
- Designated bull trout critical habitat
- Marbled murrelet (*Brachyramphus marmoratus*)
- Northern spotted owl (*Strix occidentalis caurina*)

INTERIOR REGION 9
COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

*PARTIAL

Project Description

With support from State and Tribal Co-Managers, including the Washington Department of Fish and Wildlife, the Port Gamble S'Klallam Tribe, and the Skokomish Tribe, the National Marine Fisheries Service (NMFS) proposes changes to five existing salmon and steelhead HGMPs in the Hood Canal region. The five HGMPs include: the Enetai Creek Fish Hatchery for fall chum salmon (*Oncorhynchus keta*); Hoodspout Hatchery for fall Chinook salmon (*O. tshawytscha*) and fall chum salmon; Hood Canal Steelhead (*O. mykiss*) Supplementation Project; and the Port Gamble S'Klallam Tribe coho salmon (*O. kisutch*) net pens. These HGMPs serve as resource management plans pursuant to Limit 6 of the Act's section 4(d) rule for federally-listed salmon and steelhead (50 CFR 223.201(b)(6)).

The Co-Managers propose multiple changes to the existing HGMPs, ranging from increases in fish production (Port Gamble) and the number of fish released at release sites (Enetai, Hoodspout, and Port Gamble), to additional releases for investigatory purposes (Hoodspout) and additional fish captures for ongoing data collection (Hood Canal). Additional details about the proposed changes to the five HGMPs are included in the NMFS November 20, 2020, letter to the U.S. Fish and Wildlife Service (USFWS) (see Table 1).

The Corps has provided sufficient information to determine the effects of the proposed changes and the effects of implementation of the HGMPs, and to conclude whether or not they would adversely affect federally listed species and/or designated critical habitat. We base our concurrence on information provided by the NMFS, best available science, and complete and successful implementation of the best management practices and conservation measures included by the NMFS.

EFFECTS TO BULL TROUT

Effects on bull trout will not be measurable, will not significantly disrupt normal behaviors (i.e., the ability to successfully feed, move/migrate, and/or shelter), and are considered insignificant, because of the following:

- The proposed action is located in Hood Canal and its major tributaries, where bull trout occurrence is rare and exposure to the action is unlikely. While the hatchery facilities are adjacent to nearshore marine foraging, migrating, and overwintering habitat for anadromous subadult and adult bull trout, they are not located in or near bull trout spawning or early rearing habitats. The facilities are located more than 20 miles from the nearest bull trout core areas (i.e., Skokomish and Snohomish Core Areas) and local populations (USFWS 2016). Therefore, based on the location of the proposed action and the baseline environmental conditions, we expect that bull trout use the vicinities of these hatchery facilities infrequently and in low numbers (i.e., most likely during the spring, which corresponds with the timing of out-migrating juvenile salmonids).

- The proposed action includes changes to the number (i.e., an increase) and location of juvenile steelhead to be captured, handled, and collected in the lower Dosewallips River (from river mile 0 to 15). However, the new capture location is not within designated bull trout critical habitat, bull trout occurrence will be rare and exposure to the action is extremely unlikely.
- The proposed action does not include changes to current operations at HGMP facilities or construction/modification of these facilities. Any routine maintenance activities will be conducted within existing structures and footprints.
- The proposed action includes continued, permitted water withdrawals in tributaries where bull trout are not present and in saltwater (i.e., Hood Canal, Port Gamble). Therefore, effects to bull trout from water withdrawals are discountable.
- All HGMP facilities included in the proposed action currently hold and implement National Pollutant Discharge Elimination System (NPDES) permits. The Co-Managers propose to continue using pollution abatement ponds to minimize impacts to water quality (NMFS 2020; USFWS 2016). Additionally, the Co-Managers propose to continue following fish health guidance and manufacturer instructions for proper dilution and disposal of therapeutants (i.e., drugs or pesticides), which are used infrequently and in small volumes. Any impacts to water quality, resulting from discharges, will be minor, localized, and short-term.

EFFECTS TO MARBLED MURRELET

Effects on marbled murrelets will not be measurable, will not significantly disrupt normal behaviors (i.e., the ability to successfully feed, move/migrate, and/or shelter), and are considered insignificant, because of the following:

- The HGMP facilities are located in varying proximities to suitable nesting habitat for marbled murrelets. Some of the facilities (Enetai and Hood Canal) are adjacent to a limited amount of suitable marbled murrelet nesting habitat, while others (Hoodsport and Port Gamble) are at least 0.25 mile away from suitable nesting habitat. Effects to nesting marbled murrelets are extremely unlikely and discountable due to lack of suitable nesting habitat in the immediate vicinity of the HGMP facilities.
- The proposed action includes a 48 percent increase in yearling coho salmon production at the Port Gamble facility net pens. While available data indicate moderate to high concentrations of marbled murrelet individuals—likely foraging—throughout the surrounding marine waters (i.e., north Hood Canal) (USFWS 2015; 2016), marbled murrelet entanglement in net pens is extremely unlikely. First, the co-managers propose no new nets; rather, they propose to increase production within the existing net pens. Second, these nets, which have a mesh size of 0.24 inches, are too small to entangle marbled murrelet individuals that might be foraging or moving/migrating through the area. Therefore, marbled murrelet entanglement is extremely unlikely and discountable.

- The proposed action does not include changes to current operations at HGMP facilities or construction/modification of these facilities. Any routine maintenance activities will be conducted within existing structures and footprints.

EFFECTS TO BULL TROUT AND MARBLED MURRELET HABITAT AND PREY

With successful implementation of the best management practices and conservation measures included by the NMFS, the USFWS expects that the effects of the proposed action will neither measurably degrade nor diminish habitat functions or prey resources for bull trout and marbled murrelets in the action area. While the proposed action may affect (may increase) ecological interactions (i.e., predation and competition) in Hood Canal, we believe the location of the HGMP facilities, life history stages, and timing of hatchery releases/fish captures will reduce the likelihood of these interactions. Therefore, we consider the effects of the action to be insignificant.

- There is no proposed construction/modification of the HGMP facilities that could expose or affect bull trout or marbled murrelet habitat.
- The proposed action includes significant increases in the number of fish (i.e., chum, Chinook, and coho salmon) released at release sites (Enetai, Hoodport, and Port Gamble). However, due to the locations of the HGMP facilities, the life history stage(s) at release, their migratory behavior, and the timing of hatchery releases (NMFS 2020), spatial and temporal overlap between salmon and bull trout and, thus, the potential for adverse ecological interactions, is low. Upon release, additional salmon may stray or move into adjacent watersheds, thereby increasing the potential for interspecific competition with bull trout. However, due to the distance between the HGMP facilities and the nearest bull trout core areas, and differences in habitat needs among species (e.g., for spawning and rearing), interactions among bull trout and salmonids in freshwater are unlikely.
- Additional salmon that will be released as fry may increase the prey base for bull trout and/or marbled murrelets.

EFFECTS TO DESIGNATED BULL TROUT CRITICAL HABITAT

The final revised rule designating bull trout critical habitat (75 R 63898 [October 18, 2010]) identifies nine Primary Constituent Elements (PCEs) essential to the conservation of the species. The 2010 designation of critical habitat for bull trout uses the term PCE. The new critical habitat regulations (81 FR 7214) replace this term with physical or biological features (PBFs). This shift in terminology does not change the approach used in conducting our analyses, whether or not the original designation identified PCEs, PBFs, or essential features. In this letter, the term PCE is synonymous with PBF or essential features of critical habitat.

While the HGMP facilities are not located in designated bull trout critical habitat, additional salmon releases at some of these facilities may affect critical habitat. The proposed action may affect the PCEs listed below, however we expect these effects to the PCEs will be insignificant (i.e., temporary, limited in extent, and will not alter their long-term function).

PCE 1: *Springs, seeps, groundwater sources, and subsurface water connectivity (hyporheic flows) to contribute to water quality and quantity and provide thermal refugia.*

- The proposed action will have no effect on this PCE.

PCE 2: *Migration habitats with minimal physical, biological, or water quality impediments between spawning, rearing, overwintering, and freshwater and marine foraging habitats, including but not limited to permanent, partial, intermittent, or seasonal barriers.*

- The proposed action will have an insignificant effect on this PCE. The action will not preclude bull trout movement through Hood Canal, and the action will neither degrade nor destroy bull trout migratory habitat. Any impacts to water quality, resulting from withdrawals and/or discharges, will be minor, localized, and short-term.

PCE 3: *An abundant food base, including terrestrial organisms of riparian origin, aquatic macroinvertebrates, and forage fish.*

- The proposed action will have a beneficial effect on the current function of this PCE. The action is likely to increase the nearshore marine bull trout prey base, comprised of juvenile salmonids. Juvenile salmonids released into the nearshore marine environment are unlikely to compete with the larger adult and subadult bull trout that are present in Hood Canal.

PCE 4: *Complex river, stream, lake, reservoir, and marine shoreline aquatic environments and processes that establish and maintain these aquatic environments, with features such as large wood, side channels, pools, undercut banks and unembedded substrates, to provide a variety of depths, gradients, velocities, and structure.*

- The proposed action will have no effect on this PCE.

PCE 5: *Water temperatures ranging from 2°C to 15°C (36°F to 59°F), with adequate thermal refugia available for temperatures that exceed the upper end of this range. Specific temperatures within this range will depend on bull trout life-history stage and form; geography; elevation; diurnal and seasonal variation; shading, such as that provided by riparian habitat; streamflow; and local groundwater influence.*

- The proposed action will have no effect on this PCE.

PCE 7: *A natural hydrograph, including peak, high, low, and base flows within historic and seasonal ranges or, if flows are controlled, minimal flow departure from a natural hydrograph.*

- The proposed action will have no effect on this PCE.

PCE 8: *Sufficient water quality and quantity such that normal reproduction, growth, and survival are not inhibited.*

- Any impacts to water quality, resulting from withdrawals and/or discharges, will be minor, localized, and short-term. We expect any impacts to water quality resulting from increased coho salmon production in the Port Gamble facility net pens (e.g., waste products) to be localized and, therefore, undetectable in adjacent designated bull trout critical habitat.

PCE 9: *Sufficiently low levels of occurrence of nonnative predatory (e.g., lake trout, walleye, northern pike, smallmouth bass); interbreeding (e.g., brook trout); or competing (e.g., brown trout) species that, if present, are adequately temporally and spatially isolated from bull trout.*

- The proposed action will have no effect on this PCE. We do not expect the proposed action to result in an increase (or decrease) in non-native predators and/or competitors.

EFFECTS TO NORTHERN SPOTTED OWL

Effects on northern spotted owls will not be measurable, will not significantly disrupt normal behaviors (i.e., the ability to successfully feed, move/migrate, and/or shelter), and are considered insignificant due to the lack of suitable habitat in the vicinities of the HGMP facilities.

CONCLUSION

This concludes consultation pursuant to the regulations implementing the Act (50 CFR 402.13). Our review and concurrence with your effect determinations is based on implementation of the project as described. It is the responsibility of the federal action agency to ensure that the projects they authorize or carry out are in compliance with the regulatory permit and the Act. If a permittee or the federal action agency deviates from the measures outlined in a permit or project description, then the federal action agency has the obligation to reinstate consultation and comply with section 7(d).

This project should be re-analyzed, and re-initiation may be necessary if: 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation; 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation; and/or, 3) a new species is listed or critical habitat is designated that may be affected by this project.

This letter constitutes a complete response by the USFWS to your request for informal consultation. A record of this consultation is on file at the Washington Fish and Wildlife Office in Lacey, Washington. If you have any questions about this letter or our shared responsibilities under the Act, then please contact Molly Good (molly_good@fws.gov; 360-753-5822).

Sincerely,

for Brad Thompson, State Supervisor
Washington Fish and Wildlife Office

cc:

WDFW, Olympia, WA (G. Marston)

Port Gamble S'Klallam Tribe, Kingston, WA (A. Welch)

Skokomish Tribe, Skokomish, WA (J. Wolf)

Northwest Indian Fisheries Commission, Olympia, WA (A. Spidle)

References

NMFS (National Marine Fisheries Service). 2020. Hood Canal Biological Assessment. National Marine Fisheries Service. Portland, Oregon, 6pp.

USFWS (U.S. Fish and Wildlife Service). 2015. Port Gamble S'Klallam Tribe, Port Gamble Bay Shellfish Nursery. U.S. Fish and Wildlife Service. Lacey, Washington, 4pp.

USFWS. 2016. Hood Canal Hatchery Programs. U.S. Fish and Wildlife Service. Lacey, Washington, 15pp.