

HABITAT COMMITTEE REPORT ON HABITAT ISSUES

Bureau of Reclamation Letter on Central Valley Project

In April, the Council directed the Habitat Committee (HC) to draft a quick response letter to the National Marine Fisheries Service (NMFS) on the Central Valley Project Biological Assessment with a June deadline. This would have been Agenda Item C.1, Supplemental Attachment 1. However, subsequent discussions with NMFS made it clear that the HC should instead draft a letter to the Bureau of Reclamation (BOR) for Council consideration at the September meeting. The BOR will not issue its Record of Decision of the Environmental Impact Statement until the end of the calendar year, and the agency should therefore have sufficient time to address the Council's recommendations pursuant to statutory requirements.

Jordan Cove Liquefied Natural Gas Terminal and Pipeline

The HC discussed the proposed Jordan Cove Liquefied Natural Gas (LNG) and Pacific Connector Pipeline Projects. The pipeline would transport the gas 229 miles across southern Oregon to the coastal export terminal in Coos Bay, Oregon for trans-Pacific shipping. The Jordan Cove project includes two LNG storage tanks, five liquefaction processing structures, vessel loading facilities, a large deepwater LNG vessel slip, LNG carrier vessels, a marine access channel, and supporting infrastructure. On March 29th, the Federal Energy Regulatory Commission (FERC) issued a Draft Environmental Impact Statement (DEIS) for the project.

The proposed pipeline project would cross or otherwise impact 352 water bodies, including water bodies that are known to support production of Endangered Species Act (ESA)-listed salmonids and other Council-managed stocks. In addition to environmental impacts, a security zone of 500 meter wide, equal to the width of the existing navigation channel, will be required around LNG carrier vessels. This could impact all other vessel traffic while carrier vessels are present. The DEIS estimates 120 carrier vessels transiting the area per year.

Construction of the project will require large-scale channel modification and continuous dredging, and will impact estuarine habitats important to several Council-managed species (e.g., Chinook salmon, Oregon coast coho salmon, Southern Oregon/Northern California coho salmon, sardine, herring, Pacific sanddabs, English sole, starry flounder, lingcod, and rockfishes), and their prey.

Fishermen and processors believe that the proposed project is likely to disrupt fishing-related business and offloading activities in the vicinity of the terminal site at Coos Bay. Recreational fishing will also be disrupted in the estuary and streams.

An analysis of the social and economic impacts to Council-managed fisheries due to loss of productive habitats, direct mortality on fish species and prey, disruption of fishing activities and port deliveries has not been conducted, but impacts are likely to be significant.

The DEIS does not include a complete analysis of no-action alternatives, nor does it appear to adequately assess or address impacts to ESA-listed species, including anadromous fishes and others. NMFS has not yet undertaken an essential fish habitat (EFH) consultation or developed EFH conservation recommendations for the proposed project.

Agencies and stakeholder groups are in the process of developing comments on the DEIS for the **July 5th comment deadline**. FERC will be holding public meetings in Oregon to take comments on the DEIS on June 24 in Coos Bay, June 25 in Myrtle Creek, June 26 in Medford, and June 27 in Klamath Falls. The HC has prepared a brief draft letter for the Council's consideration to express its concerns about the project (Supplemental Attachment 2) and to formally ask FERC to provide their EFH assessment to the Council so that the Council can provide substantive comments. Without a formal request, the EFH assessment would not be otherwise available.

The HC also discussed the US Forest Service's (USFS) forest plan standards, including standards for rare species and riparian zone management (Council-designated EFH). Several of these USFS standards would need to be amended to accommodate the LNG pipeline. The HC is willing to draft a letter to the USFS for the September briefing book commenting on how the USFS's exclusion of the proposed project from its forest management practice standards could impact Council-managed fisheries and Council-designated EFH.

Prioritizing Communication of NMFS Habitat Conservation Activities

The HC discussed ways to improve communication between the NMFS Regional Office and the HC in order to bring EFH and related habitat conservation issues to the attention of the Council. NMFS recently had discussions with its leadership regarding habitat priorities. Initial priority concerns include wind farms and prey of southern resident killer whales.

The HC also reviewed criteria that could help NMFS prioritize issues to share with the HC, including general criteria (are Council-managed species affected), and specific issues (dam removal). A subgroup of the HC will meet to refine these criteria, which will be shared with the Council at the September meeting.

California Offshore Renewable Energy

Chris Potter from the California Natural Resource Agency/Ocean Protection Council gave a presentation to the HC on California offshore renewable energy lease efforts. The Bureau of Ocean Energy Management has issued a call for information and nomination for three potential offshore energy leasing areas near Humboldt Bay, Morro Bay, and Diablo Canyon, California. The latter two are understood to be in conflict with Department of Defense (DOD) operations, but political pressure is being applied to move projects forward despite the objections of the DOD. Currently 14 companies have submitted indications of interest to obtain a commercial lease for a wind energy project.

Coastal Sediment Management

Sediment management is of interest to the HC because activities like beach restoration may impact Council-designated habitat areas of particular concern (such as kelp) or beach-spawning prey species for Council-managed stocks (e.g. sand lance, surf smelt, or grunion), especially in light of predicted increases in coastal erosion and the subsequent need for restoration.

Chris Potter and Randi Thurston (Washington Department of Fish and Wildlife) presented on sediment management and beach nourishment in California and Washington. In California, the California Natural Resources Agency and the U.S. Army Corps of Engineers co-chair the Coastal Sediment Management Workgroup (CSMW), a collaborative effort by Federal and state agencies whose mission is to develop and facilitate regional approaches to managing sediment imbalances. The CSMW facilitated the development of 14 regional sediment management plans covering the California coast, and is currently undertaking a

strategic planning exercise for moving forward regional sediment plans in California. Chris Potter and the CSMW will share with the HC future plans so the HC can offer feedback on any plans that may pertain to EFH.

In Washington state, 90 percent of Puget Sound's beaches are fed by sediment from eroding bluffs. One-third of these bluffs have shoreline armoring that blocks sediment delivery to the beach. Beach nourishment is used to restore beaches impaired by the loss of natural sediment supplies. Sediment is placed above the water level on beaches to protect benthic organisms and to allow the sediment to be distributed by coastal processes. Nourishment is often done in conjunction with the removal of shoreline armoring and placement of large woody debris. These restoration efforts can restore surf smelt and sand lance spawning habitat, both of which are prey species for Council-managed species.

CalCOFI Activities

Dr. Brice Semmens provided an overview of the history and purpose of the California Cooperative Oceanic Fisheries Investigations (CalCOFI), which has been collecting and managing oceanographic and biological data off of California for the past 75 years. The long time series and spatially explicit data have been used extensively to investigate fishery and ecosystem dynamics. CalCOFI data is already integrated into the Council's State of the California Current Ecosystem report produced annually by the Integrated Ecosystem Assessment team. CalCOFI operations are funded by NMFS and the National Science Foundation, and continued funding for the program is important, as the CalCOFI-collected data and analyses are critical for elucidating long-term changes to the ocean habitat and links to managed species trends in California waters. CalCOFI is seeking suggestions on additional analyses they may conduct relative to Council management needs.

CCC Habitat Working Group

The Council Coordinating Committee's Habitat Working Group is holding a 2.5-day workshop in Portland on August 20-22 to discuss habitat issues, develop best practices, and bring specific improvements to each of our regional processes relevant to non-fishing activities. Staff from each regional fishery management council and NMFS region will participate.

Klamath issues

Since April 1, the BOR has been operating the Klamath Project under the new Biological Opinion (BiOp) (as discussed in the March HC report), which has caused some issues with water management given the mid-year switch. For example, below-average discharge from Iron Gate Dam has left the Klamath with drought-like flows, while every stream around it has above-average discharge. The Yurok Tribe is suing the BOR over its methods for calculating the block of environmental water, which is all water not allocated for agriculture. The Yurok Tribe alleges that going back in time to use March releases in a BiOp that came into effect in April is not allowed.

Ceratomyxa shasta levels started climbing in May. A pulse flow was released to flush *C. shasta* spores and help ensure hatchery fish survival. Initially, only 65 percent of the Iron Gate Hatchery fall Chinook were going to be released, but because of mortality concerns and to capitalize on the pulse flow, California Department of Fish and Wildlife decided to release the last of the Chinook during this pulse as well, despite the fact that the fish were undersized and only 7 percent were marked with coded wire tags, rather than the typical 25 percent.

Summary of Proposed Actions

- Proposed BOR letter for September (previously approved as a quick response letter).
- Proposed letter to FERC on the Jordan Cove project (deadline: July 5).
- Proposed letter to the USFS on its forest practice standards and impacts on EFH related to Jordan Cove draft EIS for the September briefing book.

PFMC
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