

SOUTHERN OREGON/NORTHERN CALIFORNIA COAST COHO
ENDANGERED SPECIES ACT CONSULTATION PROCESS

At the March 2020 Council meeting, the National Marine Fisheries Service (NMFS) provided a report (Attachment 1) on the Stipulated Agreement and Motion to Stay Case reached between the Hoopa Valley Tribe and NMFS. In 2018, the Hoopa Valley Tribe filed suit alleging a failure by NMFS to reinstate Endangered Species Act (ESA) consultation regarding the impacts of ocean salmon fisheries on Southern Oregon/Northern California Coast (SONCC) coho salmon.

As part of the stipulated agreement, NMFS has agreed to propose a process to develop a new management approach for SONCC coho to the Council for consideration at its April 2020 meeting. The stipulated agreement lays out the timeline by which NMFS will confer with the Council on completion of the new SONCC coho harvest control rule and a timeline for ESA consultation, as warranted, on the effects of the control rule. As stated in the agreement, the stay on the case will continue if NMFS proposes a process and timeline to develop the SONCC coho harvest control rule to the Council for consideration its April 2020 meeting. Additionally, the case will continue to be stayed if the Council decides by May 31, 2020 to consider a process to develop the SONCC coho harvest control rule. Finally, the case will continue to be stayed if the Council moves forward with the SONCC coho control rule and approves the control rule by November 30, 2021 and NMFS initiates ESA consultation, as warranted, by December 15, 2021

Council Action:

Consider establishing a process to develop recommendations on consultation standards for Southern Oregon/Northern California coast coho.

Reference Materials:

1. Agenda Item E.3, Attachment 1: Hoopa Valley Tribe and National Marine Fisheries Service Stipulated Agreement and Motion to Stay Case
2. If Received, Public Comments are Electronic Only ([see e-portal](#)).

Agenda Order:

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| E.3 | Southern Oregon / Northern California Coast Coho
Endangered Species Act Consultation Process | Robin Ehlke |
| a. | Reports and Comments of Management Entities and Advisory Bodies | |
| b. | Public Comment | |
| c. | Council Discussion | |