

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

At the March 2020 Council meeting, the National Marine Fisheries Service (NMFS) provided a [report](#) on a 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 stated in the agreement, the stay on the case will continue if 1) NMFS proposes a process and timeline to develop the SONCC coho harvest control rule (control rule) to the Council for consideration its April 2020 meeting, 2) the Council decides by May 31, 2020 to consider a process to develop control rule, and 3) the Council approves a control rule by November 30, 2021 and NMFS initiates ESA consultation, as warranted, by December 15, 2021.

At the April 2020 Council meeting, NMFS proposed a process and timeline for Council consideration to develop a control rule and the Council established an ad-hoc technical team (Team) in response to the NMFS proposal. A [draft Terms of Reference](#) provided by NMFS was reviewed by the Council and will be forwarded to the Team to finalize at their first meeting.

Since the April 2020 Council meeting, Tribal, Federal, and State entities have provided staff to fill the Team's roster, and the first meeting is scheduled for June 9, 2020. The Team's first task will be to finalize the Terms of Reference and submit it under this agenda item for Council approval.

Council Action:

Adopt the Terms of Reference and Provide Guidance on Future Work and Schedule

Reference Materials:

1. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

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| E.1 | Southern Oregon / Northern California Coast Coho
Endangered Species Act Consultation update | Robin Ehlke |
| a. | Reports and Comments of Management Entities and Advisory Bodies | |
| b. | Public Comment | |
| c. | Adopt the Terms of Reference and Provide Guidance on Future Work and Schedule | |