

HABITAT COMMITTEE REPORT ON HABITAT ISSUES

Salmon Rebuilding Plans Update

Habitat Committee (HC) member Correigh Greene discussed efforts by the HC, Salmon Technical Team, and others, including California Current Integrated Ecosystem Assessment (CCIEA) scientists, to develop more comprehensive stoplight tables for Sacramento River Fall Chinook and Klamath River Fall Chinook. Both stocks were the focus of rebuilding plans following recent determinations of overfishing, which prompted recommendations that habitat indicators be linked spatiotemporally to life history stages of key salmon stocks.

In response to those recommendations, the HC worked with the National Marine Fisheries Service (NMFS) Integrated Ecosystem Assessment team to produce stoplight tables of habitat indicators for these two stocks. These were published in appendix H.1 of the California Current Ecosystem Status Report.

These tables help inform whether particular indicators were poor in the critical years associated with the rebuilding plan, whether multiple indicators were associated with poor stock performance, and whether these conditions are persistent in the years after the critical brood years of the rebuilding plan. With this, the HC views its role in addressing habitat changes relevant to rebuilding plans as completed.

Nevertheless, review by individuals from various advisory bodies pointed to additional interest in the stoplight tables. These could include further development of the tables to use as indicators to inform Council engagement. There was also interest in evaluating whether these indicators could inform forecasting. Because the indicators were not developed as a forecasting tool per se, further work (e.g., correlation structure, evaluation of “redundant” indicators, predictive power of indicators related to adult returns as expected by previous studies, additional indicators) would be necessary for this purpose. Regardless of any potential value for forecasting, the indicator tables could be useful as additional indicators in the larger suite of ecosystem indicators reported each year of the CCIEA report.

Update on Jordan Cove Liquefied Natural Gas Export Terminal and Gas Pipeline Project

The proposed Jordan Cove Liquefied Natural Gas (LNG) Export Terminal Project in Coos Bay, OR, and the associated 229-mile Pacific Connector Gas Pipeline Project connecting the LNG terminal to pipelines in the Rocky Mountains and western Canada, has again stalled after a series of key state and Federal regulatory decisions.

In February 2020, Oregon issued an objection to the Project’s Coastal Zone Management consistency certification, citing inadequate information and adverse effects to species, habitats, fisheries, and other resources. The Project applicant appealed, requesting that the National Oceanic and Atmospheric Administration (NOAA) Administrator override the objection.

On February 8, 2021, NOAA completed its review of the appeal and sustained Oregon's objection. In its [decision](#), NOAA found there was insufficient information to evaluate the Project's adverse effects on coastal species listed under the Endangered Species Act (ESA), critical habitat, essential fish habitat (EFH), water quality, cultural resources and cumulative effects, and thus NOAA could not balance the effects against any national interest furthered by the Project. NOAA's decision was informed, in part, by the Council's comments on the effects of pipeline construction on salmon habitat, and the cumulative effects of Project dredging activities and the Port of Coos Bay's Channel Modification Project on eelgrass EFH for salmon, groundfish and coastal pelagic FMP species in the Coos Bay estuary.

This is the second Federal action to uphold the state's findings and deny authorization to the Project. In January 2021, the Federal Energy Regulatory Commission (FERC) denied the Project's petition calling for FERC to override Oregon Department of Environmental Quality's denial for water quality certification under section 401(a)(1) of the Clean Water Act.

At this time, it is unknown if the Jordan Cove project will re-apply for state and Federal authorization.

The Klamath Dam Removal Project

After years of planning and delays, the removal of the four lower Klamath dams is now imminent, with the removal of physical structures scheduled to start in January 2023. It is likely that FERC will order a final National Environmental Policy Act process to begin in mid-spring of 2021. Dam removal will likely result in important changes in this stock, which has constrained fishing south of Cape Falcon for years.

Removal of the four Klamath hydropower dams will open about 420 stream-miles of habitat, and will have dramatic, long-term positive impacts on all Klamath fall-Chinook-based fisheries, particularly in the Klamath Management Zone (KMZ).

The HC is aware that Klamath technical working groups have identified a number of challenges to collecting data on spawning and returning fish as dam removal begins and salmon repopulate the upper reaches of the system, and has raised concerns related to funding these needed efforts. The HC understands these challenges could have major implications on Klamath River fall Chinook stock assessment.

The window of opportunity for developing new fish sampling protocols and collecting pre-removal baseline habitat data may be closing soon. The HC believes it would be constructive to invite members from the Klamath technical working group and other relevant parties to provide a briefing to a joint work session of the Salmon Technical Team and HC in order to help Council advisory bodies support successful salmon reintroduction and minimize impacts to the Klamath River fall Chinook stock assessment.

Issues that could be addressed in a joint work session include:

1. Fish data collection needs to evaluate the progress and success of salmon reintroduction
2. Information needed from newly opened habitat to inform and update stock assessments

3. Addressing how Klamath-driven (and especially KMZ) salmon fisheries may be managed immediately after Klamath dam removal to support repopulation of the habitat in order to maximize long-term benefits to Council-managed salmon fisheries; and
4. Discussion of how the Council can support the process of securing funding for priority salmon management and reintroduction actions.

EFH-Related Guidance Documents

NMFS is developing two documents that will update and consolidate existing guidance on EFH consultations and integrating EFH with Endangered Species Act consultations. Although a final release date has not been identified, these documents are undergoing the last stages of internal review and should be finalized and available soon. The Pacific Council, along with other fishery management councils, will receive notification once the documents are completed, if not slightly before.

Ocean Energy

1. Proposed Wind Energy Projects off California

Two floating wind energy projects have been proposed off California: Cierco Projects' Floating Wind Demonstration and Ideol USA's Vandenberg Air Force Base Pilot. The two adjacent projects would be located in state waters offshore of Vandenberg Air Force Base and Point Arguello in Santa Barbara County, California. Both facilities would have four floating wind turbines ranging in size from 10-15 megawatts (MW). The entire development will be capable of producing up to 100 MW of renewable electricity.

The California State Lands Commission (SLC) is the lead permitting and lease agency for offshore wind projects in California state waters. The SLC found that the two project applications for the projects noted above are complete. The SLC is currently evaluating the two applications according to the California Environmental Quality Act and conducting stakeholder engagement activities. NMFS, Office of National Marine Sanctuaries and California Dept. of Fish and Wildlife are tracking the planning and environmental analyses of these projects.

2. First Wave Energy Lease in U.S. Federal waters

In February 2021, the Bureau of Ocean Energy Management (BOEM) issued a lease for the first wave energy research project in Federal waters. The lease was issued to Oregon State University for the [PacWave South](#) project for testing wave energy equipment and marine hydrokinetic energy. PacWave South will be located approximately six nautical miles off Newport, Oregon, and will occupy approximately 2.65 square miles. The project will consist of four test berths to support testing of up to 20 wave energy converter devices, which are floating or underwater devices moored to the seafloor that convert the kinetic energy from moving ocean waves into electrical or mechanical energy. The BOEM lease is a prerequisite for a FERC license for project construction and operations. The PacWave research lease is the first marine hydrokinetic lease to be issued under the joint BOEM-FERC authority over marine hydrokinetic projects on the U.S. Outer Continental Shelf.

Marine Mineral Leasing Reforms in California and Washington State Waters

Washington and California are both considering changes to their current policies and regulations regarding seabed mining for certain minerals on state-owned submerged lands off the coast. In both states, the focus is on hard minerals such as metals, metal-rich sands, and phosphorite nodules. Both states currently allow for the issuance of mineral leases, and applications would be evaluated on a case-by-case basis. Currently, there are no known mining activities or lease applications for hard minerals in either state, so the changes under consideration are precautionary in nature.

In Washington, a bill in the state legislature (SB-5145) would prohibit the Department of Natural Resources from issuing leases for hard mineral extraction. In California, the State Lands Commission recently approved a new five-year strategic plan that includes a multi-stakeholder, multi-rights-holder, and multi-agency dialogue that the Commission would convene to broadly examine extractive uses of state-owned lands in the context of an evolving application of the Public Trust Doctrine. This dialogue will include, but not be limited to, a review of Commission policies on marine mining. Finally, as context, the state of Oregon prohibited exploration for or extraction of hard minerals in 1991.

PFMC
03/03/21