HABITAT COMMITTEE REPORT ON HABITAT ISSUES

The Habitat Committee (HC) met via webinar on September 16, 2025. This report includes one recommendation, followed by several updates on issues and activities relevant to the Pacific Fishery Management Council's (Council) interests.

Habitat Committee Recommendation: Port of Coos Bay - Pacific Coast Intermodal Port Project:

- The HC recommends the Council task the HC with drafting comments on the Port of Coos Bay channel modification NOI, should there be a scoping request published in the near future. This may require Council to use its Quick Response procedure. See below for additional information.

The HC briefed the Council in March 2025 on a major port and rail development project proposed by the Port of Coos Bay. The Pacific Coast Intermodal Port Project (PCIP) includes a Channel Modification Project that would modify the Coos Bay Federal Navigation Channel to increase import/export capacity on the West Coast for large deep-draft container ships. This includes widening and deepening the navigation channel, new large turning basins and new ocean disposal sites near the mouth of Coos Bay. The Coos Bay Rail line would receive upgrades along 115 miles of track and intercept several salmon-bearing streams.

The NOI for the draft EIS is expected in December 2025. The NOI may request input on the scope of issues to address in the draft EIS. This would be an opportunity for the Council to recommend that the draft EIS evaluate potential impacts to estuarine and freshwater habitats for FMP species, impacts to fishing and dockside support, and to evaluate project alternatives of least impact. The HC recommends the Council task the HC with drafting comments on the NOI, should there be a scoping request. This could require Council to use its Quick Response process.

Updates on issues and activities

National

Outer Continental Shelf Oil and Gas Leasing Program: At the June Council meeting, the HC informed the Council that BOEM had initiated a new five-year Outer Continental Shelf (OCS) Oil and Gas Leasing Program (Program) to replace its current (2024-2029) Program, in response to Executive Order 14154. This replaces the 2021 Executive Order 14008, which prohibited oil and gas leasing off the three West Coast states Additionally, each state has a moratorium on any new offshore oil/gas activities off their states. The new Program identifies 27 planning areas in three OCS regions, including the Pacific OCS and Alaska OCS. Although the Council did not submit comments, the three West Coast states commented in opposition to any new planning areas off their state. Links to those comment letters are here: Washington, Oregon, California.

Army Corps of Engineers Nationwide Permits: Nationwide Permits (NWPs) are a general permit issued by the Army Corps of Engineers (Corps) to authorize categories of activities in waters of the United States that the Corps has determined to have no more than minimal individual

and cumulative adverse environmental effects. The Corps considers revisions to NWPs about every five years and may propose new permits. There are currently 57 NWPs for in-water activities such as hydropower, channel modifications, shellfish and seaweed aquaculture, seafloor cables, pipelines, oil/gas structures, and renewable energy pilot projects. In 2020, the Corps added two NWPs for finfish and seaweed mariculture to which the Council provided detailed comments on potential adverse effects to wild stocks, habitat and fishing, and recommendations to improve permit notification and oversight. The finfish mariculture permit was subsequently withdrawn in March 2025 after the Federal District Court in Washington ruled that the Corps violated National Environmental Protection Act (NEPA) due to insufficient analysis. The lawsuit in this case was brought by a coalition of organizations that included fishing interests.

In August, the Corps concluded a 30-day public comment period for the 2026-2031 NWP cycle. Proposed modifications include a new NWP for fish passage, reduced compliance thresholds for habitat impacts and removal of mechanisms for coordinating with state regulatory agencies on project assessment and state-level compliance. Since at least 2017, the Corps has incrementally reduced impact thresholds and state coordination for several NWPs. Although it was not possible for the Council to comment during this recent opportunity, Washington, Oregon and California addressed concerns in their state's Coastal Zone Federal Consistency Review and Washington and Oregon also commented through the individual state resource agencies.

Regional

Salmon EFH Call for Information: A call for information and data for the salmon essential fish habitat (EFH) review was posted on the Council website under "News and Events" on September 5, 2025 (Call for Information and Data Pacific Salmon Essential Fish Habitat Review). The comment period closes on December 3, 2025. The information can include, but is not limited to, peer-reviewed literature, unpublished scientific reports, data from government resource agencies, fisheries reports, and other sources of information, including previously unavailable or inaccessible data. The Council will consider different types of information according to its scientific rigor.

Columbia River Systems Operations: In June 2025, the HC briefed the Council on the Government's pending Supplemental Environmental Impact Statement (SEIS) for the Columbia River System Operations (CRSO). The SEIS was to be the first in a series of actions initiated by the Biden Presidential Memo and the Resilient Columbia Basin Agreement (RCBA) – a MOU between Federal, state and tribal governments to help recover depleted salmon and steelhead populations in the Columbia River Basin. On December 18, 2024, the co-lead Federal agencies published a Notice of Intent (NOI) to prepare the SEIS for the CRSO. The HC was preparing to develop comments on behalf of the Council until President Trump's Presidential Memorandum of June 12 cancelled the previous MOU, causing the agencies to rescind the NOI.

The Presidential Memorandum also cancelled the Resilient Columbia Basin Agreement (RCBA) that would have provided for a pause of at least five years in decades-long litigation over the federal Columbia River dams' impact on Endangered Species Act-listed salmon and steelhead. The rescission of the RCBA means there are no existing plans to revisit the 2020 Columbia River System Operations Environmental Impact Statement. Overall, 63 specific commitments to Oregon, Washington, and the four lower Columbia River treaty tribes regarding funding for Lower Snake River Compensation Plan hatcheries and fish restoration projects by the states and tribes, lower Snake River dam replacement studies, tribal energy investments, federal mitigation process reforms, and other actions will no longer move forward. In terms of funding, $200M that had been

dedicated to maintenance and modernization at lower Snake River mitigation hatcheries has been fully revoked, and BPA will no longer provide $10M/year for tribally and state-led fish restoration projects. In addition, dam operations will presumably revert from a negotiated operation to 2020 Biological Opinion (BiOp) operation. Non-governmental organizations and sovereign plaintiffs have reinitiated the litigation.

Groundfish Habitat Utilization Database (HUD): The Groundfish HUD informs various aspects of Groundfish EFH, including life history descriptions and trophic interactions, and represents an important first step for broader applications, such as developing species distribution models. In 2015, an update to the HUD was initiated but not completed, and the HUD is currently unavailable. An update to the HUD was originally proposed to be supported with EFH Innovation and Advancement funds, a competitive funding source typically made available annually by the NOAA Fisheries Office of Habitat Conservation. However, due to unexpected budget circumstances over the last two years, that funding has not panned out. Fortunately, NOAA Fisheries WCR was able to support the work this fiscal year, with the proposed update expected to be completed by the end of September 2026. It is important to note that the intent is to update the HUD in time to inform the next EFH review; however, this does not indicate when that review may begin.

California

Department of the Interior regulatory changes in the Sacramento Bay-Delta:

On September 9, 2025, the Bureau of Reclamation (BOR) held a quarterly meeting to provide an update on the Long-Term Operations (LTO) of the Central Valley Project (CVP). BOR plans to comply with Executive Order 14181 (Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas, January 24, 2025) while staying within NMFS guidance for the 2024 LTO (2024 BiOp). Revised operations are expected to deliver additional water to southern California agriculture districts.

Major changes to operations include:

1. Removal of Fall X2 requirements: X2 is the geographical point in the Sacramento Delta at which the water is 2 ppt of isohaline salt. This region of low salinity is associated with high primary productivity, zooplankton population, and abundance of native species. Previously, that point was required to be 80 km from the Golden Gate in September and October following a wet or above normal water year. This requirement is no longer in effect, allowing brackish water to intrude further into the estuary.
2. Remove early implementation of delta export reduction: BOR will develop data and assist decisions from the State Water Resources Control Board involving implementation of the Voluntary Agreements (aka Healthy Rivers and Landscapes).
3. Revise entrainment management: Operation of the delta pumps which move water from the Sacramento River into southern California will no longer be required to minimize entrainment of juvenile salmonids and other fish species. Pumping operations are expected to be "no more negative than 5000 cfs" at OMR (Old Middle River), except during storm events when pumping may increase to "no more negative than 6500 cfs."
4. Revised governance and adaptive management: DOI has disbanded several scientific review committees; future water operation decisions will be led by federal agencies. Under separate NEPA revisions, Notice-and-Comment Rulemaking is no longer required. Public comment periods on water operations are now optional.
5. Adaptive management of NEPA: The new NEPA manual will have updates to the list of Categorical Exclusions (CE) that are intended to reduce paperwork and save time and

resources for inter-agency actions. The revised CEs are not yet available but are anticipated to give less consideration to cumulative effects on habitat and wildlife populations.

HC Member News

The HC unanimously voted Justin Alvarez to be the HC's Vice Chair through calendar year 2026.

Joel Kawahara: HC members, former and current, were deeply saddened to learn that Joel Kawahara had lost his life while salmon fishing off Neah Bay. For many years, Joel was a member of the Habitat Committee and served as Chair for several of those years. Joel was more than a salmon fisherman; he was a strong and active advocate for salmon habitat and habitat generally. The HC benefited greatly from Joel's knowledge and his active participation on the committee, as well as his unique-dry humor. Joel leaves behind a legacy of productive advocacy that is sure to inspire others for years to come. Articles in the Seattle Times and the Jefferson County Beacon describe the many ways Joel engaged in his passion for salmon, habitat and community. A memorial service will be held on October 26 in Quilcene, WA. Joel's memorial website is available at everloved.com/life-of/joel-kawahara/



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