

APPENDIX B: NEPA AND ESA ANALYSES INCORPORATED BY REFERENCE

Several documents supporting the analyses of effects to the environment from the Alternatives have been incorporated by reference. Those documents are described and passages relevant to analyses contained in this EA are excerpted below.

NMFS 2003: West Coast Salmon Harvest Programmatic EIS

This document evaluates how NMFS reviews annual salmon fishery plans in three jurisdictions, the North Pacific Fishery Management Council for Southeast Alaska; the Pacific Fishery Management Council for the Washington, Oregon, and California coast; and *U.S. v. Oregon* for the Columbia River Basin. In general, NMFS seeks to implement fisheries that are consistent with a variety of statutory and legal obligations related to resource conservation, socioeconomic benefits associated with resource use, and treaty trust obligations. Fishery plans are developed annually within the context of framework plans to meet the year-specific circumstances related to the status of stocks affected by the fisheries. This final PEIS evaluates different ways to balance these objectives and different strategies that can be used that may provide better solutions for meeting the obligations and objectives of the respective framework plans. The alternatives considered in this final PEIS are programmatic in nature and are designed to provide an overview of fishery management methods and strategies that can be implemented as part of the annual planning processes.

This document includes the following statements relative to Council area salmon fisheries:

While the levels of salmon catch fluctuate from year to year, the amount of groundfish taken as incidental catch is very low so that changes in the salmon fishery do not substantially alter the projections for harvest-related mortality in the groundfish fishery.

Other Council managed species such as halibut, highly migratory species (draft FMP), and coastal pelagic species are also landed jointly with salmon. For all of these stocks, fish caught on the same trip with salmon are documented. Data on the commercial segment of these fisheries show the co-occurrence rates for salmon and these other Council-managed species is low, as well as for non-Council-managed species. Changes in the salmon fishery are not expected to have a substantial impact on the directed fisheries for the non-salmon stocks

The commercial troll fishery off the coasts of Washington, Oregon, and California is classified as a Category III fishery, indicating a remote or no likelihood of known incidental mortality or serious injury of marine mammals. In general, recreational fishery uses the same gear and techniques as the commercial fisheries and can be assumed to have similar rates of encounters and results.

After excluding ESA listed marine mammals, only three species of marine mammals are defined as strategic under MMPA within the coverage area: short-finned pilot whales, mesoplodont beaked whales, and Minke whales (Barlow et al. 1997). This strategic classification denotes that projected human-caused mortality exceeds the species' annual potential biological removal estimate under MMPA standards. As with ESA listed marine mammal species, there is no record of these three species being affected by the ocean salmon fisheries managed by the Council.

Steller sea lion interaction with the Pacific Coast salmon fisheries is rare and NMFS has determined mortality and serious injury incidental to commercial fishing operations would have a negligible effect. Available information indicates that Pacific Coast salmon fisheries are not likely to jeopardize the existence of the Guadalupe fur seal. No sea turtles have been reported

taken by the ocean salmon fisheries off Washington, Oregon, or California. NMFS has determined that commercial fishing by Pacific Coast fisheries would pose a negligible threat to the Pacific species.

Short-term effects on seabirds are minimal, if any. The types of vessels used in the fishery and the conduct of the vessels are not conducive to collisions or the introduction of rats other non-indigenous species to seabird breeding colonies. Anecdotal information suggests accidental bird encounters are a rare event for commercial and recreational ocean salmon fisheries (Council 1999a). Long-term effects on seabirds from the ocean salmon fisheries are also minimal.

The removal of adult salmon by the ocean fisheries is not considered to significantly affect the lower trophic levels or the overall marine ecosystem because salmon are not the only or primary predator in the marine environment.

PFMC 2006: EA for 2006 Ocean Salmon Management Measures

The 2006 regulations EA analyzes the environmental and socioeconomic impacts of proposed management measures for ocean salmon fisheries occurring off the coasts of Washington, Oregon, and California. The document evaluated the 2006 annual salmon ocean harvest management measures with respect to compliance with the terms of the Salmon FMP, obligations under the Pacific Salmon Treaty (PST), and the level of protection required by all consultation standards for salmon species listed under the ESA. The range of alternatives analyzed in the 2006 Regulations EA included the effects of three levels of *de minimis* fishing strategies on KRFC when the stock was projected to fall below the 35,000 natural spawner floor for the third consecutive year. The escapement floor for naturally spawning KRFC was projected to not be attained even with complete closure of ocean salmon fisheries between Cape Falcon, Oregon, and Point Sur, California; therefore, the management measures required implementation by emergency rule. The NMFS-recommended 2006 salmon fishery management measures did not completely close fisheries between Cape Falcon and Point Sur, but limited fisheries to provide a minimum of 21,100 natural spawning adult KRFC in 2006. The 2006 EA supported NMFS' Finding of No Significant Impacts (FONSI) for the 2006 ocean salmon regulations.

Appendix A of Amendment 14 (EFH Appendix A) describes salmon EFH and fishing and non-fishing impacts to this habitat. It found no evidence of direct gear effects on this habitat from Council-managed salmon fisheries. ... Because EFH impacts are extensively described and analyzed in EFH Appendix A, and this analysis demonstrates the fishery has no significant impacts, EFH will not be considered further in this environmental assessment.

Fisheries management can affect safety if, for example, season openings make it more likely that fishermen will have to go out in bad weather because fishing opportunities are limited. The EA incorporated into Amendment 8 to the Salmon FMP analyzed alternatives to adjust management measures if unsafe weather affected fishery access. The range of management measures considered for the proposed action would be within the range described in that EA. Since these types of potential impacts have been previously analyzed and found not to be significant, they are not discussed in this EA.

NMFS 2008: Biological Opinion on 2008 Ocean Fisheries Effects on Southern Resident Killer Whales

This document constitutes the National Marine Fisheries Service's (NMFS) biological opinion regarding the effects of the 2008-2009 Pacific coast salmon fisheries on the Southern Resident killer whale distinct population segment. The fisheries assessed by this Opinion are fisheries are managed under the

jurisdiction of the Pacific Fisheries Management Council (PFMC) and target primarily Chinook and coho salmon, and pink salmon.

After reviewing the current status of the endangered population of Southern Resident killer whales and their critical habitat, the environmental baseline for the action area, the effects of the proposed actions, and cumulative effects, it is NMFS's biological opinion that the proposed action is not likely to jeopardize the continued existence of the Southern Resident killer whales or adversely modify critical habitat.