

Coleman NFH Complex: Section 7 Consultation Briefing

What is a Section 7 Consultation?

- The Endangered Species Act of 1973 states that Federal agencies have an affirmative conservation responsibility. Section 7 is the process agencies go through to analyze impacts of their actions on listed and proposed species.

When does it apply?

- If an action is funded, authorized, or carried out by a Federal agency.
- Finding by the Federal agency that their project “may affect” listed species – triggers a formal consultation.

What is a Biological Assessment?

- If a project is likely to adversely affect listed species, a formal consultation is required. The action agency must complete a Biological Assessment (BA). The BA includes:
 - a review of literature or other information
 - analysis of effects, including cumulative effects
 - views of recognized experts
 - results of on-site inspections
 - analysis of alternative actions

What is a Biological Opinion?

- During a formal consultation, the regulatory agency must complete a Biological Opinion. The BO includes:
 - Consultation History
 - Description of the Action
 - Status of the species
 - Environmental Baseline
 - Effects of the Action
 - Cumulative Effects
 - Conclusion (will or will not jeopardize species)
 - Incidental Take Statement

Project Overview

Coleman NFH – Mitigation

- Fall Chinook – 12 million fish released annually
- Late-fall Chinook - 1 million fish released annually
- Steelhead – 600,000 fish released annually

Livingston Stone NFH

- Winter Chinook – Release 250,000 fish annually
- Delta Smelt – Captive Broodstock Program/Refugial Population, up to 1500 adults.



2011 BA Overview

- Section 1: General Program Description
- Section 2: Program Effects on Salmonid Populations
- Section 3: Relationship to Other Management Objectives
- Section 4: Hatchery Water Source
- Section 5: Facilities
- Section 6: Broodstock Origin and Identity
- Section 7: Broodstock Collection
- Section 8: Mating
- Section 9: Incubation and Rearing
- Section 10: Juvenile Releases
- Section 11: Monitoring and Evaluation
- Section 12: Research
- Section 13: Citations, Appendices, and attachments



2011 BA Overview

- Considers project actions that could result in take of listed species including:
 - Southern Resident Killer Whales
 - Southern DPS of Green Sturgeon
 - Spring Chinook Salmon
 - Winter Chinook Salmon
 - Steelhead
- The BA takes an ecosystem wide approach, assessing effects in areas of the Sacramento-San Joaquin River watershed, the estuary, the Pacific Ocean, with an emphasis on Battle Creek.
- Considers current population levels:
 - Steelhead take is assessed based on existing population size (not size of population after a “restored” Battle Creek).
 - Winter Chinook were not considered to be present in Battle Creek

What is “take?”

- “Take” under the Endangered Species Act is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct (as defined under the Endangered Species Act 16 U.S.C. 1532(19)).

2011 BA – Estimates of Take

- When Possible we used a quantitative approach (i.e. estimated numbers of fish affected) in our analysis.
- In some cases, we used a qualitative approach because it was not possible to produce an estimate of take

2011 BA Overview

Projected levels and types of incidental take of listed salmonids resulting from artificial propagation programs at Coleman and Livingston Stone National Fish Hatcheries. Take of adults is indicated by "A" and juveniles by "J".

		Affected Stock		
		Winter Chinook	Spring Chinook	Steelhead
Battle Creek				
	Entrainment (J)	0	243	6
	Capture, handle, tissue sample, mark-tag, hold, release (A)	4	0	466
	Unintentional lethal take (A)	2	11	5
Sacramento River				
	Capture, handle, transport, tissue sample, mark-tag, hold, and release (A)	173	140	102
	Intentional lethal take (A)	0	20	0
	Unintentional lethal take (A)	2	2	2
Total		181	416	581

2011 BA Conclusions

- No Anticipated Impacts to Southern DPS Green Sturgeon
- No Anticipated Impacts to Southern Resident Killer Whale
- Summary of Population-level impacts on Salmonids (Table 2-4; p. 67).
 - Facility Maintenance and On-site Construction
 - On-Site Fish Production Operations
 - Juvenile Releases
 - Adult Contribution
- We believe that this project will result in a “non-jeopardy finding, but we await a decision from the National Marine Fisheries Service in their Biological Opinion.

Re-initiation of Consultation

- Typically Occurs If:
 - Project Plans Change
 - There is “New” Additional biological information
 - Take is exceeded
 - New species are listed

We anticipate re-initiation of consultation if population sizes of steelhead or spring Chinook change substantially or when winter Chinook are re-introduced into Battle Creek.

2011 BA - Availability

http://www.fws.gov/redbluff/he_reports.aspx