

Record of Decision for the Programmatic Final Environmental Impact Statement on Expenditure of Funds to Increase Prey Availability for Southern Resident Killer Whales

I. Introduction and Background

This Record of Decision (ROD) was developed by the National Marine Fisheries Service (NMFS) in compliance with decision-making requirements, pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The purpose of this ROD is to document NMFS' decision regarding the proposed action.

This ROD is designed to: (1) state NMFS' decision and present the rationale for that decision; (2) identify the alternatives considered in the Final Environmental Impact Statement (EIS) in reaching the decision; and (3) state whether all practicable means to avoid or minimize environmental harm from implementation of the selected alternative have been adopted, and if not, why they were not.

The proposed action is NMFS' use of funds for the production of juvenile hatchery Chinook salmon for release into the wild to increase the availability of prey (food) for Southern Resident Killer Whales (SRKWs). SRKWs are listed as endangered under the Endangered Species Act (ESA) and the availability of prey is currently one of several limiting factors impeding the recovery of this species. The production of Chinook salmon as additional prey for SRKWs will mitigate for removals of Chinook salmon by fisheries managed under the Pacific Salmon Treaty (PST).

II. Alternatives Considered

The EIS evaluates four alternatives: 1) No Action – use of funding to increase prey availability for SRKW would be discontinued, 2) Hatchery Prey Increase Program alternative (proposed action/preferred alternative) – funding would be used to produce additional hatchery Chinook salmon for release into the wild to provide increased prey availability for SRKWs, 3) Habitat-based Prey Increase Program alternative – funding would be used for habitat restoration projects that could increase Chinook salmon abundance by improving productivity in the wild and thus increase prey availability for SRKW, and 4) Reduced Fishing to Increase Prey alternative - funding would be used to reduce harvest of Chinook salmon in marine fisheries to increase prey availability for SRKWs.

For the action alternatives 2 and 4, we analyzed the effects on the specified resources of 1) the level of funding NMFS has received in recent years for the prey increase program for SRKWs (approximately \$6.2 million per year), and 2) a level of funding for each alternative that would likely attain the prey increase program goal for SRKWs (a 4-5% increase in prey in marine waters in the times and areas most beneficial for SRKWs). For alternative 3, it was not possible to estimate the levels of funding that would meet program goals, given the nature of habitat restoration and the uncertainty in predicting the increase in natural salmon abundances.



For alternative 2 (Hatchery Prey Increase Program), we analyzed the effects of funding hatchery Chinook production at recent funding levels (approximately \$6.2 million), as well as a higher level of program funding that would produce approximately 20 million hatchery Chinook salmon annually for release that is estimated to result in a 4-5% increase in Chinook abundance in the times and areas important to SRKWs – or approximately \$12 million per year. Alternative 2 includes a set of six criteria NMFS would use to make funding decisions for increased hatchery production:

- Criteria 1: Increased hatchery production should be for Chinook stocks that are a high priority for SRKW (NMFS and WDFW 2018; Ad-hoc SRKW Workgroup 2020).
- Criteria 2: Increased production should be focused on stocks that are a high priority for SRKW (NOAA and WDFW 2018), but funding should be distributed so that hatchery production is increased across an array of Chinook stocks from different geographic areas and run timings (i.e., a portfolio).
- Criteria 3: Increased production cannot jeopardize the survival and recovery of any Endangered Species Act (ESA)-listed species, including salmon and steelhead.
- Criteria 4: Because of funding and timing constraints, increased production proposals should not require major capital upgrades to hatchery facilities.
- Criteria 5: All proposals should have co-manager agreement (agreement among relevant Tribal, state, and Federal hatchery managers), as applicable.
- Criteria 6: All increased production must have been reviewed under the ESA and NEPA, as applicable, before NMFS funding can be used.

Alternative 3 (Habitat-based Prey Increase Program alternative) assesses using funding to implement habitat restoration actions to increase the natural production of Chinook salmon in the wild. Additional natural production of salmon from habitat restoration would be expected to increase prey availability for SRKWs once the restoration work is completed and has had time to re-establish increased habitat productivity, allowing the resulting adult salmon to migrate into marine waters. Increases in prey availability were low in the short-term (<5 years) under all funding assumptions (we considered the benefits that could be attained with current funding levels of approximately \$6.2 million, and with the approximately \$12 million assessed under Alternative 2), with greater increases over the long-term (>5 years) from habitat restoration. However, even the long-term increases from habitat restoration were significantly lower than those from Alternative 2.

Alternative 4 (the Reduced Fishing alternative) considered what would be required in terms of fishery harvest reductions that would result in an increase in Chinook salmon abundances in the times and areas important to SRKW and the funding levels needed to mitigate for these fishery reductions. We also estimated what increase in prey availability could be accomplished with current funding levels. The increases in prey availability estimated from current funding levels (\$6.2 million annually) were 39%-86% of the level provided by Alternative 2. We also estimated that, in order to increase Chinook salmon prey to a level of 4-5%, the funds needed for such an

increase would be at least \$25 million per year, which as explained later is an underestimate of the economic costs associated with attaining the modeled harvest reductions and does not account for costs that cannot be readily quantified (such as the cultural and social effects to Tribal fisheries and subsistence fishing).

III. Public Involvement

NMFS formally initiated environmental review of the prey increase program through a Notice of Intent (NOI) to prepare an EIS in the Federal Register on August 10, 2023 (88 FR 54301). This NOI announced a 45-day public scoping period, during which other agencies, Tribes, stakeholders, and the public were invited to provide comments and suggestions regarding issues and alternatives to be included in the EIS. Public scoping meetings via online webinars were held on August 30 and 31, 2023. These public meetings involved a mix of informal and formal presentations, and a variety of informational material related to the proposed action was made available to attendees. NMFS also held a Tribal engagement webinar on October 30, 2023, to explain the proposed action, other possible alternatives, and the EIS process for affected Tribes.

A Draft EIS was subsequently produced and made available for public review and comment for 45 days, as announced in the Federal Register on January 26, 2024 (89 FR 5227). During this public comment period, 875 comment letters were received from a wide range of constituents including fishing groups, Federal and state agencies, private landowners, environmental organizations, and individuals interested in the prey increase program, as well as Tribes. Primary issues raised in the comments were related to the commenters' suggestions or positions on continuing to produce hatchery salmon for SRKWs while minimizing socioeconomic impacts, reducing fishery harvest in marine waters to immediately provide a boost in prey for SRKWs, reducing hatchery production to reduce risks to wild salmon recovery, and not furthering any socioeconomic and/or environmental justice effects from any alternative on affected communities. A summary of public comments can be found in section 1.5.3 of the FEIS. Appendix H of the EIS includes all public comments received during the public review of the Draft EIS and NMFS' responses. The executive summary of the EIS describes the changes that were made to the Draft EIS.

The Final EIS was released on October 4, 2024, and the public could review changes made since the Draft EIS and NMFS' responses to submitted comments (89 FR 80899). During this public review opportunity, NMFS received one comment letter which is included in Appendix A of this ROD. This comment letter supported the adoption of the preferred alternative of spending the funds slated to increase prey availability for SRKW for the production of hatchery Chinook but also described the importance of an ecosystem approach to salmon recovery. It further recognized that the 2019 PST Agreement included reductions to fisheries from the prior Agreement, and that habitat restoration work was funded in connection with the Agreement.

IV. Environmentally Preferable Alternative(s)

The environmentally preferable alternative is required by 40 CFR 1505.2(a)(2)¹ to be identified in a record of decision (ROD).

In this ROD, Alternative 2 (the Hatchery Prey Increase Program) is identified as the environmentally preferable alternative for several reasons. Additional hatchery salmon can be produced in existing hatchery facilities with mostly-low increases in environmental effects to salmon and steelhead and other adversely affected resources while meeting the prey increase program's goal to provide a meaningful increase in prey availability for SRKWs in the times and areas most beneficial for the whales in the short term (<5 years) which meets the purpose and need of increasing prey availability for SRKWs immediately. While hatchery production may have long-term (>5 years) environmental effects to salmon, Alternative 2 was analyzed for effects on ESA-listed species and NMFS concluded the alternative would not jeopardize the continued existence of, nor adversely modify critical habitat of affected salmon or steelhead (NMFS 2024). Alternative 2 provides the greatest benefit to SRKWs relative to the funding needed with the least amount of environmental harm to other affected resources such as socioeconomics and environmental justice communities.

Our analysis of Alternative 4 shows that higher levels of funding far above the level analyzed for Alternative 2 would be required to achieve similar benefits to SRKWs in the short term as Alternative 2, but it does so with much larger impacts on socioeconomic and environmental justice resources. Alternative 4, depending on the amount of funding available, could reduce Chinook salmon fishery harvest substantially to provide benefits to SRKW similar to Alternative 2, but at approximately twice the required cost (\$12 million for Alternative 2 versus at least \$25 million for Alternative 4, along with incalculable cultural losses). The environmentally preferable alternative for Tribal fishing and Tribal communities would be Alternative 2, because in contrast to Alternative 4, this would not use funds to reduce fishing, and in contrast to Alternatives 1 and 3, it would result in a greater abundance of hatchery fish in the areas where Tribal fisheries take place. Alternative 2 would not result in adverse effects on the communities across the Pacific Northwest and Southeast Alaska affected by reduced salmon harvest in Alternative 4. Alternative 3 provides some long-term benefits to SRKWs through habitat restoration that could support salmon recovery, but not to the same extent as Alternatives 2 and 4, and does not provide definite short-term benefits to SRKWs. Alternative 1, by contrast, offers no increase in prey (compared to the affected environment); making it the least beneficial for SRKWs. For Chinook salmon, Alternative 2 is the most environmentally impactful because of increased genetic and ecological effects from producing additional hatchery salmon, however, as explained in the EIS, these effects are limited and include changes in the proportion of hatchery-origin fish on the spawning grounds (pHOS), competition and predation upon co-occurring natural-origin fish, and pathogen elevation and transmission. The analysis in the EIS concludes that these effects are generally low. Alternatives 3 and 4 cause the least impact to natural-origin

¹ All cites to CEQ regulations are from the regulations in effect as of July 1, 2023, <https://www.govinfo.gov/content/pkg/CFR-2023-title40-vol37/pdf/CFR-2023-title40-vol37.pdf>.

Chinook salmon, but these alternatives are not as beneficial for SRKWs in the short-term as Alternative 2 applying past funding levels for the prey increase program.

In conclusion, when considering all aspects of the affected resources analyzed in the EIS, Alternative 2 results in the least environmentally damaging alternative by providing the greatest increases in prey availability for SRKWs in the short-term (<5 years), with very limited additional impacts to Chinook salmon, with the least impacts on socioeconomic and Tribal justice resources.

V. Results of Consultations

A section 7 consultation evaluating the effects of the prey increase program on ESA-listed species under NMFS' jurisdiction has been completed (NMFS 2024; WCRO-2024-00664). The Biological Opinion concluded that the proposed action would not jeopardize the continued existence of, nor adversely modify critical habitat of ESA-listed species adversely affected by the proposed action.

A section 7 consultation has also been completed on ESA-listed species under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS 2024; 2024-0068226). The Biological Opinion concluded that the proposed action would not jeopardize the continued existence of, nor adversely modify critical habitat of ESA-listed species adversely affected by the proposed action.

VI. Decision and Rationale for Decision

At this time, NMFS has decided to select and implement Alternative 2 (the Hatchery Prey Increase Program). In making this decision to implement Alternative 2, NMFS considered the following factors:

- Effects of the action on species listed under the ESA, including both Chinook salmon and SRKWs.
- Effects of the action on marine fisheries.
- Effects of the action on cultural and economic resources.
- Potential for disproportionate adverse environmental or health impacts on Tribal, minority, and low-income communities (environmental justice concerns).
- Effects of the action on NMFS' ability to fulfill statutory mission and responsibilities.
- Public, Tribal, and agency comments received during the EIS scoping and review periods.
- Extent to which impacts in attaining the prey increase program goals could be adequately mitigated (provide for prey increase for SRKWs, while minimizing additional adverse effects to Chinook salmon).

After considering these factors, NMFS concludes Alternative 2 best supports NMFS' statutory missions to conserve ESA-listed salmon and SRKWs, and avoids significant adverse impacts to socioeconomic and environmental justice resources. Alternative 2 provides the greatest short-term (<5 years) benefit to SRKW at the current level of funding and potential increased level of

funding, while resulting in very limited negative impacts to Chinook salmon and no negative impacts to Tribal and coastal communities. NMFS has reviewed new studies and information provided during public review and comment periods, and determined that there are no significant new circumstances or information relevant to environmental concerns that would change the conclusions of the EIS.² In addition, NMFS has completed a biological opinion on the implementation of the hatchery prey increase program for SRKWs (NMFS 2024) and found that the action will not jeopardize the continued existence of any affected evolutionarily significant unit (ESU) and/or distinct population segment (DPS). The U.S. Fish and Wildlife Service also concluded the same for their affected species (USFWS 2024).

Alternative 2 provides the highest level of benefit to SRKW with the level of funds likely to be available of the suite of alternatives evaluated and provides benefits to other resources analyzed (socioeconomics, environmental justice, other fish and wildlife species) by providing more salmon in the environment as SRKW prey, while minimizing risks to Chinook salmon and their habitats. No other alternative analyzed in the EIS provides the same level of benefits per cost, as Alternative 2. Given the complexity of managing different ESA-listed species, with one species preying upon another, Alternative 2 provides benefits for SRKWs in the near term, using existing hatchery facilities to produce additional hatchery Chinook salmon for SRKWs. Little to no additional impacts on salmon and their freshwater habitats are expected because the hatchery facilities already exist and produce hatchery salmon for release annually, and any programs receiving funding must comply with the ESA and NEPA (criteria 6 above for Federal funding).

Alternative 1 (the No Action alternative) does not provide any additional prey for SRKWs, and thus does not meet the purpose and need for the prey increase program.

Alternative 3 (the Habitat-based Prey Increase Program) does not provide the same level of benefits to increase prey for SRKWs as Alternative 2 under any of the funding scenarios analyzed in the EIS. There is some benefit from this alternative over the long-term (>5 years), but increased productivity from habitat restoration takes high levels of funding and a great deal of time to materialize. This alternative would not provide prey benefits for SRKWs in the short-term, and NMFS has identified increasing prey availability for endangered SRKWs as a critical need in the short-term (< 5 years). The level of abundance that could result from habitat improvement is also more uncertain, especially with the effects of climate change. Therefore, this alternative was not selected.

² NMFS is aware of several new studies concerning SRKWs and assessment of risk factors to their recovery. Tennessen et al. (2024) found significant impacts to successful foraging, including auditory masking, due to vessel noise. This finding supports the need for adequate prey in the environment to overcome these long-recognized foraging challenges. Saygili and Trites (2024) assert that summer Chinook salmon prevalence is higher in SRKW foraging hot spots than those in NRKW habitat. However, this study only sampled during two weeks in 2020 and only in specific locations in the Salish Sea, despite known seasonal, annual, and spatial variation in salmon abundance. The limited scope of this study prevents us from drawing any conclusions regarding the importance of the prey threat to SRKWs in the Salish Sea, and further study is needed. Finally, a new study assessing diet in SRKW fecal samples (Van Cise et al. 2024) confirms previous findings regarding the importance of Chinook salmon in the SRKW diet year-round.

Alternative 4 (the Reduced Fishing alternative) does not provide a similar benefit to increase prey availability for SRKWs as Alternative 2, when applying the same funding level assumptions (current funding or funding necessary to implement a 4-5% increase in prey for SRKWs). In order for Alternative 4 to provide similar benefits as Alternative 2 in increasing prey availability for SRKWs, the estimated funding level would have to be at least \$25 million annually to mitigate fishery losses. Even at this funding level, this sum would not fully compensate for all of the economic effects associated with Alternative 4. For example, the Tribal treaty right to fish, as well as subsistence fishing in SEAK, is not quantifiable in economic value, and additionally, our analysis only utilizes ex-vessel values and does not account for the full range of economic losses to affected coastal communities and Tribes. Ex-vessel value is the value of the first sale of raw fish (calculated by multiplying the price per pound at the first purchase by the total pounds landed), and so the estimate does not include any additional economic impacts necessary to attain the harvest reduction, including but not limited to processor revenue, captain and crew salaries, support industries, and other economic multipliers. Additionally, Alternative 4 would have significant adverse cultural and social effects, to Tribes, Tribal communities, and other fishing-dependent communities across the Pacific Northwest and Southeast Alaska and would undermine access to Tribal fisheries and subsistence fishing.

The analysis in the EIS provided a programmatic evaluation of NMFS' funding of the prey increase program contemplated in Alternative 2 (the Hatchery Prey Increase Program) and considered a reasonable range of alternative actions for the use of this funding. Given the above considerations from the analysis of affected resources in the EIS, we conclude that Alternative 2 meets the goals of the prey program for SRKWs, while also minimizing the other adverse effects to other specified resources (including ESA-listed Chinook salmon, other fish and wildlife species, socioeconomics, and environmental justice).

VII. Mitigation and Monitoring

The purpose of the proposed action is to spend funds appropriated in connection with the implementation of the Pacific Salmon Treaty Agreement to increase prey (food) availability for SRKWs to help mitigate the effects of PST fisheries. The action is needed because prey availability is currently a factor limiting the recovery of SRKWs, and PST fisheries, while reduced from prior agreements, continue to remove Chinook salmon (harvest) that would otherwise potentially be available as prey (food) in times and areas important to SRKWs. The primary adverse effects of hatchery production occur to wild, particularly ESA-listed, salmon. Therefore, we focus on monitoring and evaluating the effects of the proposed action on ESA-listed salmon. We also focus on monitoring and evaluation to determine if the expected benefits to SRKWs are being achieved.

Mitigation for the adverse effects of hatchery programs on salmon is addressed primarily at the site-specific level because the adverse effects on ESA-listed salmon occur primarily at the site-specific level. As described above, Alternative 2 includes a requirement that proposals for increased hatchery production meet the six funding decision criteria to receive funding from the prey increase program (section 2.2.1 of the EIS). Any proposed hatchery production must have been reviewed under the ESA and NEPA, and must be determined to not be likely to jeopardize

any ESA-listed species and, as applicable, to destroy or adversely modify critical habitat, before NMFS funding can be used. In many cases, modifications to hatchery programs, such as changing the timing or location of releases, discontinuing the use of non-local broodstock, or intercepting hatchery fish more effectively before they reach the spawning grounds, have been built into existing programs to ensure these determinations can be made. NMFS' ESA and NEPA evaluations include a thorough analysis of the impacts of the hatchery production at the site-specific level, and for any resulting take of ESA-listed salmon to be exempted, these programs must comply with reasonable and prudent measures and terms and conditions in site-specific biological opinions. Measures to reduce the adverse effects of these programs to listed salmon have been implemented where needed to meet ESA standards, and where possible given funding and other practical constraints. In addition, all hatchery production associated with the prey increase program has been evaluated under the ESA programmatically in the final biological opinion (NMFS 2024) and all production at the site-specific level would include annual monitoring and reporting requirements to ensure the hatchery production is being implemented as expected and consistent with reasonable and prudent measures and terms and conditions. All effects of Alternative 2 on the human environment are evaluated in the Final EIS.

The hatchery programs receiving funding are required to implement regular monitoring and evaluation in connection with the exemption of ESA take. Hatchery operators monitor and evaluate actions as required in hatchery genetic management plans, ESA Biological Opinions, and ESA 4(d) approval requirements. This includes monitoring and evaluating water use, water quality, operation of facilities, collection of salmon, release of juvenile fish, natural spawning of hatchery fish, and many other aspects of hatchery operations. Key information reported annually to NMFS includes hatchery collections, impacts to wild salmon, and number of fish released.

Given these requirements and the regular evaluations by hatchery operators and reports to NMFS, we believe adequate practical measures have been applied to minimize the environmental harm from the proposed action/preferred alternative. The required measures are within the current funding capabilities of Federal, state, and Tribal organizations producing the hatchery salmon, as most of them are currently and routinely being implemented. If more hatchery funding in general became available, further measures could be taken to improve data collection, and monitoring and evaluation of the effects of hatchery salmon releases on the human environment.

The incidental take statement in the BiOp for the prey increase program (NMFS 2024) describes monitoring requirements intended to determine if the expected benefits to SRKW in the form of increased prey availability are being achieved. The analysis in the EIS uses the best available information to project the benefits to SRKWs from the implementation of the alternatives, but there is some uncertainty concerning the migration of hatchery salmon in space and time throughout their marine residence and overlap with SRKWs to provide additional prey availability. Monitoring and evaluation by NMFS and the hatchery operators will continue to ensure the number of hatchery salmon released is within the appropriate ESA limits, that overall program limits are not exceeded, that the program is benefiting SRKW as anticipated, and that the funding criteria are being met – including documentation to ensure that funded programs meet criteria #6. Should monitoring suggest that funded programs are not operating as anticipated, or that any exempted level of take has been exceeded, NMFS will consider whether

the reinitiation of consultation at the program and/or site-specific level is necessary. Modeling and management will incorporate new information as it becomes available to further enhance the benefits of the prey increase program for SRKWs.

VIII. Conclusion

Through the EIS and the documentation in this ROD, NMFS considered the purpose and need for the proposed action and analyzed a reasonable range of alternatives, and the extent to which the impacts of the action could be mitigated. NMFS also considered public and agency comments received during the EIS scoping and review periods. In balancing the projected effects of the various alternatives presented in the EIS and the public interest with economic, technical, NOAA statutory mandates, and matters of national policy, NMFS has decided to implement Alternative 2, the Hatchery Prey Increase Program alternative. Alternative 2 provides the greatest benefits in increasing prey availability for SRKWs in the short-term given the funds likely to be available while minimizing and mitigating the associated adverse effects to the other specified resources. In particular, Alternative 2 achieves an immediate and meaningful benefit for SRKW while limiting adverse impacts to wild salmon, particularly ESA-listed fish, and avoiding the significant adverse impacts to Tribal culture and communities, and non-Tribal fishery-dependent communities that would likely result from Alternative 4. Considering the information in the EIS and other relevant material available in the record, I certify that NMFS has considered all the alternatives, information, analyses, and objections submitted by the States, Tribal, and local governments and other public commenters for NMFS's consideration in the development of the



Jennifer Quan
Regional Administrator
West Coast Region



Jonathan M. Kurland
Regional Administrator
Alaska Region

Date: November 21, 2024

Literature Cited

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Appendix A: Public Comment Received on the FEIS



Northwest Indian Fisheries Commission

6730 Martin Way E., Olympia, Washington 98516-5540
Phone (360) 438-1180 www.nwifc.org FAX # 753-8659

November 1, 2024

Mr. Lance Kruzic
NOAA Fisheries
2900 NW Stewart Parkway
Roseburg, OR 97471

Re: Comments on the Programmatic Final Environmental Impact Statement for the Expenditure of Funds to Increase Prey Availability for Southern Resident Killer Whales

Dear Mr. Kruzic:

We appreciate the opportunity to submit comments on the **Programmatic Final Environmental Impact Statement (PFEIS) for the Expenditure of Funds to Increase Prey Availability for Southern Resident Killer Whales (SRKW)**. All our member tribes fully support ecosystem-based management approaches and are actively engaged in salmon rebuilding efforts within their watersheds. For these reasons, and the supporting rationale clearly presented in the PFEIS, the tribes support the preferred alternative (Alternative 2 - Hatchery Prey Increase Program) as the best approach to immediately increase prey for SRKW.

The NWIFC is comprised of 20 treaty Indian tribes in western Washington, each of which retain constitutionally protected, treaty-reserved rights to harvest, consume, and otherwise manage fish, shellfish, and other treaty reserved resources within their usual and accustomed areas.¹ As natural resource co-managers with the state of Washington, the tribes have a vested interest in all policies that affect their treaty-reserved resources and the protection and restoration of habitat critical to their recovery and long-term sustainability.

Tribes have long advocated for an ecosystem-based approach to salmon recovery based on the tribal belief that all things are connected. Puget Sound Chinook recovery plans incorporate integrated actions to address habitat, harvest and hatcheries issues. It is important that the PFEIS recognized that the U.S. Section of the Pacific Salmon Commission took three actions to address prey availability: a) negotiated harvest reductions; b) funding of a Puget Sound salmon habitat restoration project; and c) funding for increased hatchery production of Chinook salmon. We wish to highlight that these actions provide benefits for both the salmon resource and the 137 species that depend on salmon for prey such as SRKW. It's a reflection of the wider ecological benefit provided by hatchery production.

¹ The NWIFC member tribes are the Hoh, Jamestown S'Klallam, Lower Elwha Klallam, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Port Gamble S'Klallam, Puyallup, Quileute, Quinault, Sauk-Suiattle, Skokomish, Squaxin Island, Stillaguamish, Suquamish, Swinomish, Tulalip, and Upper Skagit.

The U.S. Section's Pacific Salmon Treaty (PST) implementation request included funds for Puget Sound habitat restoration and increased hatchery production to both facilitate compliance with the Endangered Species Act (ESA) and promote Chinook salmon recovery. This request was consistent with previous PST implementation funding requests and reflects a continuance of the Chinook salmon rebuilding effort initiated with the signing of the PST in 1985. The 2019 request included an increase to the hatchery production funds for increasing prey availability for SRKW. This action bolstered state and tribal efforts associated with funds secured from the Washington State Legislature for increasing SRKW prey availability in response to state task force recommendations for SRKW recovery and sustainability.²

Our support for Alternative 2 - Hatchery Prey Increase Program is based on the recognition of the sense of immediate need to increase prey abundance for SRKW. This is the key difference between the three proposed alternatives within the PFEIS, which will provide certainty in timing and spatial/temporal delivery of benefits for SRKW. The funding action taken from the U.S. Section of the Pacific Salmon Commission was to address this need and address the sudden downturn in overall SRKW abundance as outlined by NOAA's 2018 Hatchery Initiative Memorandum.³ Action that increases prey abundance is the logical choice as the predominance of salmon harvest within Puget Sound occurs after Chinook salmon have passed through SRKW feeding areas.

Finally, Alternative 2 reflects an essential component as it is coordinated with ongoing tribal and state efforts to benefit the health and wellbeing of SRKWs and represents the best short-term risk reduction measure for SRKW that tribal and state fishery managers in Washington can provide.

Thank you in advance for your consideration for our comments. If you have questions, please contact Craig Bowhay, Director of Fisheries at cbowhay@nwifc.org.

Sincerely,



Justin R. Parker
Executive Director

cc: NWIFC Commissioners

² Southern Resident Orca Task Force. Final Report and Recommendations. November 16, 2018. Olympia Washington.

³ Dygert, P., A. Purcell, and L. Barre. 2018. Memorandum to Bob Turner (NMFS). *Hatchery Production Initiative for Increasing Prey Abundance of Southern Resident Killer Whales*. August 1, 2018. NMFS, Seattle, Washington. 3p