

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 070605B]

Endangered and Threatened Species; Take of Anadromous Fish

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability and request for comment.

SUMMARY: Notice is hereby given that NMFS has prepared an environmental assessment (EA) of the impacts on the human environment of the potential issuance of scientific research and enhancement permit number 1530 relating to Pacific salmon. Permit 1530 would be issued jointly to the Washington Department of Fish and Wildlife, Nez Perce Tribe through the Bureau of Indian Affairs, and the Idaho Department of Fish and Game (Applicants) to operate the adult fish trap at Lower Granite Dam. This document serves to notify the public of the availability of the draft EA for review and comment before a final decision on whether to issue a Finding of No Significant Impact is made by NMFS. The proposed actions are intended to increase knowledge of species listed under the Endangered Species Act (ESA) and to help guide management and conservation efforts. It is also intended to facilitate collection of broodstock to supply an artificial propagation program designed to enhance the propagation and survival of threatened Snake River fall chinook salmon.

DATES: Comments or requests for public hearing on the application must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight time on August 15, 2005.

ADDRESSES: Written comments on the application should be sent to Salmon Recovery Division, NMFS, 10095 W. Emerald, Boise, ID 83704. Comments may be submitted by e-mail. The mailbox address for providing e-mail comments is LGRtrapNEPA.nwr@noaa.gov. Include in the subject line of the e-mail comment the following identifier: *Comments on trapping at Lower Granite Dam*. Comments may also be submitted via facsimile (fax) to (208) 378-5614.

FOR FURTHER INFORMATION CONTACT: Herb Pollard, Boise, ID, at phone

number: (208)378-5699, e-mail: herbert.pollard@noaa.gov.

SUPPLEMENTARY INFORMATION:**Species Covered in This Notice**

The following listed species and evolutionarily significant units (ESUs) are covered in this notice:

Chinook salmon (*Oncorhynchus tshawytscha*): threatened Snake River (SR) fall.

Chinook salmon (*O. Tshawytscha*): SR spring summer.

Steelhead (*O. mykiss*): threatened SR.

Background

NEPA requires Federal agencies to conduct an environmental analysis of their proposed actions to determine if the actions may affect the human environment. NMFS expects to take action on ESA section 10(a)(1)(A) submittals expected from the applicants. Therefore the Service is seeking public input on the scope of the required NEPA analysis, including the range of reasonable alternatives and associated impacts of any alternatives.

The application for permit 1530 was previously made available for public comment. Anyone requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. The Applicants are requesting a 5-year permit to take SR fall chinook salmon, SR spring/summer chinook salmon, and SR steelhead during the course of operating an adult fish trap a Lower Granite Dam on the Columbia River.

The proposed action is designed to address two purposes. The trapping activity is intended to capture a random sample of Snake River fall chinook salmon and collect the necessary biological data and observations to statistically generate a \geq run reconstruction \geq , or description of composition of the entire fall chinook salmon migration, as it passes Lower Granite Dam, according to age, sex, and origin (hatchery or natural). The second purpose is to collect additional adult fall chinook salmon for broodstock needed to support enhancement actions at Lyons Ferry Hatchery and Nez Perce Tribal Hatchery. Incidental to the primary purposes, the program will help managers simultaneously monitor several ongoing activities in the basin (e.g., natural production of listed species and the operation of the Federal Columbia River hydropower system) as well as stray rates and population health

for the two listed species. To achieve its purposes, the project includes four objectives: First, it is meant to capture SR fall chinook salmon so that they may be used for mitigation, compensation, and natural production. Second, it is intended to remove hatchery-origin fall chinook salmon originating from projects other than those in the Snake River Basin so that they do not spawn in the Snake River above Lower Granite Dam. Third, facilitate research efforts including the capture of fish to measure the relative reproductive success of hatchery fish being used for natural supplementation and thereby monitor the success of that program. Fourth, the captured steelhead will be used to monitor the status of steelhead populations in the Snake River Basin.

Fish species will benefit in several ways. By providing broodstock for Lyons Ferry Hatchery and Nez Perce Tribal Hatchery, the program will continue its efforts in directly increasing the abundance of the listed stocks. Removing salmon that stray from other hatchery programs will reduce adverse ecological and genetic interactions and preserve the listed stock. Information from the captured steelhead is essential to monitor the status and productivity of the listed populations, to help managers make decisions about how best to operate the hydro power system, and to gauge the effectiveness of a number of recovery efforts.

The fish would be captured at the Lower Granite Dam adult trap. When not directed into the trap, most fish pass the ladder unimpeded. Trapped fish are anesthetized, examined, biological samples are taken, and the fish are either (1) returned to the ladder to continue their upstream migration (all of the steelhead and most of the chinook salmon), (2) selected for broodstock (in the case of a portion of the hatchery-origin and natural-origin chinook salmon), or (3) removed from the population (all hatchery-origin chinook salmon that are identified by tags or marks as strays from other hatcheries). Transport to one of the hatchery facilities fish collected for broodstock occurs daily during peak run periods. Some natural-origin Snake River fall chinook salmon would be collected to integrate into the broodstock. Scale sampling may occur on-site prior to transport to the hatcheries. Once sampled, fish not collected for broodstock are allowed to recover in small tanks and then returned to the fish ladder to continue their upstream migration.

The general effects on the environment considered include the impacts on the physical, biological, and

socioeconomic environments of the Snake River Basin.

Dated: July 12, 2005.

P. Michael Payne,

*Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 070605A]

Fisheries of the Exclusive Economic Zone Off Alaska; Prohibited Species Donation Program

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; selection of an authorized distributor.

SUMMARY: NMFS announces the renewal of permits to SeaShare (formerly Northwest Food Strategies) authorizing this organization to distribute Pacific salmon (salmon) and Pacific halibut (halibut) to economically disadvantaged individuals under the prohibited species donation (PSD) program. Salmon and halibut are caught incidentally during directed fishing for groundfish with trawl gear off Alaska. This action is necessary to comply with provisions of the PSD program and is intended to promote the goals and objectives of the North Pacific Fishery Management Council.

DATES: Effective August 15, 2005, through August 15, 2008.

ADDRESSES: Copies of the PSD permits for salmon and halibut may be obtained from the Sustainable Fisheries Division, NMFS, Alaska Region, P.O. Box 21668, Juneau, AK 99802-21668, Attn: Lori Durall.

FOR FURTHER INFORMATION CONTACT: Melanie N. Brown, phone: 907-586-7228 or e-mail: melanie.brown@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Fishing for groundfish by U.S. vessels in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA) is managed by NMFS according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and the Fishery Management Plan for

Groundfish of the Gulf of Alaska (FMPs). These FMPs were prepared by the North Pacific Fishery Management Council under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801, *et seq.*). Regulations governing the Alaska groundfish fisheries appear at 50 CFR parts 600 and 679. Fishing for halibut in waters in and off Alaska is governed by the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea and by regulations adopted by the International Pacific Halibut Commission (IPHC) and approved by the Secretary of State of the United States pursuant to section 4 of the Northern Pacific Halibut Act (16 U.S.C. 773-773k). Regulations of the IPHC are published as annual management measures in the **Federal Register** each year pursuant to regulations at 50 CFR 300.62.

Amendments 26 and 29 to the BSAI and GOA FMPs, respectively, were approved by NMFS on July 10, 1996, and implemented a salmon donation program. These amendments were superseded by Amendments 50 and 50 to the FMPs that were approved by NMFS on May 6, 1998, and authorize the PSD program for salmon and halibut. A final rule implementing Amendments 50 and 50 was published in the **Federal Register** on June 12, 1998 (63 FR 32144). A full description of, and background information on, the PSD program may be found in the preamble to the proposed rules for Amendments 26 and 29, and Amendments 50 and 50 (May 16, 1996, 61 FR 24750 and March 4, 1998, 63 FR 10583, respectively).

Regulations at § 679.26 authorize the voluntary distribution of salmon and halibut taken incidentally in the groundfish trawl fisheries off Alaska to economically disadvantaged individuals by tax-exempt organizations through an authorized distributor. The Administrator, Alaska Region, NMFS (Regional Administrator), may select one or more tax-exempt organizations to be authorized distributors, as defined by § 679.2, based on the information submitted by applicants under § 679.26. After review of qualified applicants, NMFS must announce the selection of authorized distributor(s) in the **Federal Register** and issue the selected distributor(s) PSD permits.

On April 7, 2005, the Regional Administrator received applications from SeaShare to renew its August 16, 2002, PSD permits (67 FR 47352, July 18, 2002). These permits authorize SeaShare to participate in the PSD program through August 16, 2005.

The Regional Administrator reviewed the applications and determined that they are complete and that SeaShare continues to meet the requirements for a PSD program authorized distributor. As required by § 679.26(b)(2), the Regional Administrator based his selection on the following criteria:

1. *The number and qualifications of applicants for PSD permits.* As of the date of this notice, only SeaShare has submitted completed applications that were approved by NMFS to distribute salmon and halibut taken incidentally in the Alaska groundfish trawl fisheries. SeaShare has been coordinating the distribution of salmon taken incidentally in trawl fisheries since 1993, and of halibut taken incidentally since 1998, under exempted fishing permits and the PSD program. SeaShare employs independent seafood quality control experts to ensure product quality is maintained by cold storage facilities and common carriers servicing the areas where salmon and halibut donations will take place.

2. *The number of harvesters and the quantity of fish that applicants can effectively administer.* For salmon, 3 shoreside processors, 17 catcher/processor vessels, and 36 catcher vessels currently participate in the PSD program administered by SeaShare. Three shoreside processors participate in the halibut donation program. SeaShare has the capacity to receive and distribute salmon and halibut from as many as 40 processors and their associated catcher vessels.

In 2002, 2003, and 2004, SeaShare received 102,551 pounds (46.5 mt), 248,333 pounds (112.6 mt), and 463,138 pounds (210.1 mt), respectively, of salmon for distribution to food bank organizations. During these same years, SeaShare received 33,976 pounds (15.4 mt), 18,275 pounds (8.3 mt), and 15,508 pounds (7.0 mt), respectively, of halibut for distribution to food bank organizations. NMFS does not have information to convert accurately the salmon and halibut weights to numbers of salmon and numbers of halibut.

3. *The anticipated level of salmon and halibut incidental catch based on salmon and halibut incidental catch from previous years.* The incidental catch of salmon and incidental catch mortality of halibut in the GOA and BSAI trawl fisheries are shown in the following table:

Area Fishery	2003	2004
BSAI Trawl Chinook Incidental Catch	54,989 fish	62,407 fish