

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

RIN 0648-XE374

**Marine Fisheries Advisory Committee; Charter Renewal**

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

**ACTION:** Notice of renewed charter.

**SUMMARY:** Notice is hereby given of the 2 year renewed charter for the Marine Fisheries Advisory Committee (MAFAC), signed on April 14, 2016.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Lukens, Federal Program Officer, MAFAC, 301-427-8041.

**SUPPLEMENTARY INFORMATION:** As required by Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1982), notice is hereby given of the renewed charter for MAFAC. MAFAC was established by the Secretary of Commerce (Secretary) on February 17, 1972, to advise the Secretary on all living marine resource matters that are the responsibility of the Department of Commerce. This Committee advises and reviews the adequacy of living marine resources policies and programs to meet the needs of commercial and recreational fisheries, aquaculture, and environmental, consumer, academic, State, tribal, and other national interests. The Committee's charter must be renewed every 2 years from the date of the last renewal. The charter can be accessed on line at [www.nmfs.noaa.gov/ocs/mafac](http://www.nmfs.noaa.gov/ocs/mafac).

Dated: April 21, 2016.

**Jennifer Lukens,**

*Federal Program Officer, Marine Fisheries Advisory Committee.*

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

RIN 0648-XE578

**Endangered and Threatened Species; Take of Anadromous Fish**

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

**ACTION:** Notice of final determination and discussion of underlying biological

analysis; notice of availability of a Record of Decision.

**SUMMARY:** NMFS has evaluated the joint resource management plans (RMPs) submitted to NMFS by the Washington Department of Fish and Wildlife, and the Jamestown S'Klallam Tribe, Lummi Nation, Nooksack Tribe, Stillaguamish Tribe of Indians, and Tulalip Tribes, pursuant to the limitation on take prohibitions for actions conducted under Limit 6 of the 4(d) Rule for salmon and steelhead promulgated under the Endangered Species Act (ESA). The RMPs specify the propagation of early winter steelhead to support recreational and tribal fishing in the Dungeness, Nooksack, Stillaguamish, Skykomish, and Snoqualmie River watersheds of Washington State. This document serves to notify the public that NMFS, by delegated authority from the Secretary of Commerce, has determined pursuant to Limit 6 of the 4(d) rule for salmon and steelhead that implementing and enforcing the RMPs will not appreciably reduce the likelihood of survival and recovery of Puget Sound Chinook salmon, Hood Canal summer-run chum salmon, and Puget Sound steelhead. In compliance with the National Environmental Policy Act (NEPA), NMFS also announces the availability of its Record of Decision (ROD) on its Final Environmental Impact Statement (FEIS) for the five early-winter steelhead hatchery programs in Puget Sound.

**DATES:** The final determination on the take limit under the ESA was made on April 15, 2016. The Record of Decision under NEPA was signed on April 15, 2016.

**ADDRESSES:** Written responses to the determinations should be sent to the Sustainable Fisheries Division, 1201 NE Lloyd Boulevard, Suite 1100, Portland, OR 97232. The complete text of the determinations, the analysis of the effects of the plans, and the ROD, along with additional documents and information, are available on the NMFS West Coast Region Web site at [http://www.westcoast.fisheries.noaa.gov/hatcheries/salmon\\_and\\_steelhead\\_hatcheries.html](http://www.westcoast.fisheries.noaa.gov/hatcheries/salmon_and_steelhead_hatcheries.html).

**FOR FURTHER INFORMATION CONTACT:** For ESA determinations, contact Tim Tynan at (360) 753-9579 or via email: [tim.tynan@noaa.gov](mailto:tim.tynan@noaa.gov). For information on the ROD, contact Steve Leider at (360) 753-4650 or via email: [steve.leider@noaa.gov](mailto:steve.leider@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Species Covered in This Notice**

Chinook salmon (*Oncorhynchus tshawytscha*): Threatened, Puget Sound, naturally produced and artificially propagated.

Chum salmon (*O. keta*): Threatened, Hood Canal summer-run, naturally produced and artificially propagated.

Steelhead (*O. mykiss*): Threatened, Puget Sound, naturally produced and artificially propagated.

**Background**

The RMPs are represented by five Hatchery and Genetics Management Plans (HGMPs). The HGMPs describe hatchery operations intended to produce early winter steelhead to mitigate for impacts on tribal and recreational fishing caused by past and on-going human developmental activities in the Dungeness, Nooksack, Stillaguamish, Skykomish, and Snoqualmie River watersheds. They would be implemented to provide hatchery fish to: (1) Meet regional recreational fisheries objectives for the citizens of Washington State, and (2) meet tribal fishery harvest allocations that are guaranteed through treaties, as affirmed in *United States v. Washington* (1974). Adult steelhead produced by the programs are not intended to spawn naturally. All five proposed hatchery programs would use only hatchery fish for broodstock, and all HGMPs include monitoring and evaluation actions to assess the performance of each program, and effects on ESA-listed Puget Sound Chinook salmon, Hood Canal summer chum salmon (Dungeness River only), and Puget Sound steelhead. NMFS has determined that implementing and enforcing the RMPs will not appreciably reduce the likelihood of survival and recovery of ESA-listed Puget Sound Chinook salmon, Hood Canal summer-run chum salmon, or Puget Sound steelhead.

NMFS West Coast Region was the lead agency responsible for preparing an FEIS to analyze the impacts of NMFS's 4(d) determination under Limit 6 for the five early winter steelhead hatchery programs. The FEIS evaluates five alternatives, including the proposed action and a no-action alternative. The notice of availability of the FEIS was published in the **Federal Register** on March 11, 2016 (81 FR 12898).

**Discussion of the Biological Analysis Underlying the ESA Determination**

The proposed hatchery activities described in the RMPs are intended to provide non-ESA-listed adult steelhead for harvest in recreational and tribal fisheries in the five watersheds where