Agenda Item 9.1
For Information

Council

CNL(12)23

Annual Report on Actions Taken Under Implementation Plans

USA

Annual Report on actions taken under Implementation Plans for the Calendar Year 2011

The Guidelines for the preparation of 'Implementation Plans and for Reporting on Progress', NSTF(06)10 (copy attached) indicate that the primary purpose of the annual reports is to provide a summary of all the actions that have been taken under the Implementation Plan in the previous year. In addition, details of any significant changes to the status of stocks, new factors affecting stocks, any changes to the management regime in place, and any changes to the Implementation Plan should be included in the report. Details of actions taken in accordance with Articles 14 and 15 of the Convention are also needed by the Council. **Please provide the following information to the Secretariat by 6 April 2012**

Section 1: Details of any significant changes to the management outlined in the introduction to the Implementation Plan.

In 2009, we issued a final rule listing the Gulf of Maine Distinct Population Segment (GOM DPS) of Atlantic salmon as an endangered species as well as a final rule designating Critical Habitat pursuant to the Endangered Species Act (ESA). The effect of these actions is to protect greater numbers of Atlantic salmon and to protect the features of their habitat that are essential to the conservation of the species. The "take" of species listed under the ESA is considered a violation of the ESA unless an incidental take permit or incidental take statement is provided. Take is defined to include harm, harass, trap, collect, kill or injure. Federal agencies conducting, authorizing or permitting work that may affect the GOM DPS of Atlantic salmon must consult with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service to ensure that they do not jeopardize the continued existence of Atlantic salmon and/or adversely modify or destroy critical habitat.

Section 2: A description of any significant changes in the status of stocks and information on catches. The Council has asked that the following information on catches be provided:

- **(a) the provisional catch of salmon in tonnes for 2011;**
- **(b) the confirmed catch of salmon in tonnes for 2010;**
- **(c) an estimate of unreported catch in tonnes for 2011;**
- **(d) the number of salmon caught and released in recreational fisheries in 2011.**

There have been no significant changes to the stats of stocks since the development of the US Implementation Plan. We queried available databases (vessels, dealers, and fishery observers) for information relating to bycatch of salmon. There was one salmon (11 pounds) reported in the observer database for calendar year 2011.

(a) The provisional catch of salmon in 2011 is zero tons.
(b) The confirmed catch of salmon in 2010 is zero tons.
(c) The unreported catch of salmon in 2011 is zero tons.
(d) In 2011, recreational fisheries on post-spawned domestic broodstock occurred in the Merrimack River, an area south of the GOM DPS. Roughly 1,550 broodstock were released to the river to support the fishery with approximately 1,200 permits sold. Broodstock are known to be captured and killed in the fishery for consumption. However, the time series of creel data for this fishery suggests that the majority of anglers practice catch and release. In addition, there was one instance of a recreational angler incidentally capturing an adult salmon in southern New England. The angler contacted state authorities, who promptly retrieved the fish alive to take to a conservation hatchery for broodstock.

Section 3: A description of any new factors which may significantly affect the abundance of salmon stocks.

White River National Fish Hatchery

In August of 2011, Tropical Storm Irene produced severe floods that damaged the White River National Fish Hatchery (WRNFH), a primary source of egg and fry production for the Connecticut River Program in southern New England. The USFWS determined that the hatchery had to be de-populated and shutdown by December 2011, which created huge operational challenges for the Program. The Connecticut River Technical Committee quickly modified previous plans to deal with spawning plans, incubation space options, chiller status, fish health testing and transfer of eggs. A brief but intensive spawning effort at WRNFH salvaged 1.2M eggs. The remaining broodstock were provided to Northeast Indian Tribes for their ceremonial purposes (food), in December and early January. The estimated cost of rebuilding and repairs is $5.0 million dollars. Funding options to address a sequenced approach to repairs are being developed, but at the time of this report it remains uncertain as to when the facility will become operational again.

Section 4: An account of all actions taken under the Implementation Plan with regard to the management of salmon fisheries; habitat protection and restoration; aquaculture and related activities; and other influences affecting salmon abundance or diversity (including the marine environment).

Management Action	Reporting Update	Achieved Management Action (Yes, No, Ongoing, Completed)
Fisheries Management		
4.1.1.1 Participate in the annual meeting of the WGC to negotiate a quota based on the scientific advice from NASCO	The U.S. participated in the WGC in 2011. A multi-annual regulatory measure was adopted for 2009 – 2011.	Yes
4.1.1.3 Participate in annual sampling of the fishery off West Greenland	The U.S. continued to serve as the coordinator for the sampling program in 2011.	Yes
4.1.1.4 Facilitate a continent of origin analysis on salmon sampled off West Greenland to determine composition of the mixed stock affected by the fishery	The biological samples collected as part of the joint sampling program were analyzed for continent of origin in order to determine the composition of the mixed stock complex.	Yes
4.1.1.5 Collaborate with Canada and France to implement sampling of the salmon fishery off St. Pierre et Miquelon and to conduct continent of origin analysis on the sampled fish	The US continues to collaborate with the NASCO Secretariat and Canada on the potential development of a sampling program.	Ongoing
4.1.3.1 Review commercial fisheries log books and observer database for any records of Atlantic salmon	The US reviews dealer and vessel landings as well as observer reports annually for any records of Atlantic salmon. As described in Section 2 of this report, there were no directed fisheries for Atlantic salmon and no salmon landed as bycatch in 2011.	Yes

4.1.3.4 Work with all state agencies to monitor incidental recreational catches and ensure that hooked salmon are released in an appropriate manner	Reports of incidental catch can come from a variety of sources including federal and state agency law enforcement or field biologists, concerned citizens, anglers or groups (salmon clubs and watershed councils). Angling and conservation web sites are also monitored for reports of catch.	Yes
Habitat Protection and Restoration		
4.2.1 Continue to populate NASCO Habitat Database with information from US Rivers.	No actions were taken in 2011 while the Secretariat launched the database on a webpage. A final review will be performed in 2012.	Completed
4.2.2 Conduct consultations on all federal actions in areas where Atlantic salmon Essential Fish Habitat (EFH) is designated and issue conservation recommendations to avoid, minimize, or mitigate impacts to salmon habitat.	EFH recommendations are issued in salmon rivers south of the GOM DPS. These recommendations assist action agencies in minimizing effects of construction activity on salmon populations. EFH recommendations are issued in the GOM DPS in a manner complimentary and/or consistent with requirements under section 7 of the Endangered Species Act (see 4.2.5 below).	Ongoing
4.2.5 Conduct ESA Section 7 consultations on all federal actions in the GOM to determine and minimize impacts to endangered Atlantic salmon and their habitat.	Over 100 consultations were completed in 2011 on a variety of projects including road, bridge, and pier construction projects. Through the section 7 process, NMFS and FWS worked with action agencies to implement best management practices, time of year restrictions (i.e., work windows), and other project modifications such as noise reduction that minimize "take" of the GOM DPS of Atlantic salmon.	Ongoing

4.2.6 Remain active and involved in the oversight of fish passage agreements on the Kennebec, Saco and Penobscot rivers.	Implementation of the agreements on the Kennebec, Saco, and Penobscot Rivers is well under way. Each agreement varies in terms of passage goals, monitoring strategies, and stakeholder engagement. While they each offer opportunities for salmon recovery, we must remain aware of monitoring outcomes and shortfalls in terms of passage efficiency and survival targets. Further, the existence of these agreements does not negate the need for "take" authorization (as defined in section 1 above) under the ESA (see 4.2.7 below).	Ongoing
4.2.7 Remain active and involved in hydroelectric project licensing at dams located within Atlantic salmon habitat in the U.S. and advocate for upstream and downstream fish passage facilities, as appropriate.	For the GOM DPS, NMFS is now working with a variety of hydroelectric operators to avoid and minimize incidental "take" at these projects. NMFS can only authorize "take" levels, individually and collectively, that do not jeopardize the continued existence of the GOM DPS. NMFS is currently analyzing expected take levels and how those levels relate to recovery goals for the GOM DPS In southern New England rivers where salmon are not listed as endangered, all parties have remained active and involved in project licensing and re-licensing throughout New England including Swift River Hydro Project, Pawcatuck River, RI; Canton Hydro Project, Farmington River, CT; pre-relicensing agreements	Ongoing

	involving fish passage at the Turners Falls hydroelectric project; and downstream passage agreements/studies on the Connecticut River (VT/NH) and Deerfield River (MA). The Merrimack River Project (Amoskeag, Hooksett and Garvins Falls dams) was renewed in May 2007 and in 2009 the fishery resource agencies reached a settlement with the licensee regarding future prescriptions for fishway construction at the project.	
Aquaculture and related activities		
4.3.1 Conduct annual audits of containment management systems.	Audits conducted in 2011 pursuant to federal permits consistent with the Biological Opinion issued by NMFS in 2003 have shown 100% compliance with no corrective actions needed.	Ongoing
4.3.2 Review results of genetic analysis to ensure compliance with federal permit conditions that requires all smolts to be of North American origin.	Genetic analysis of all broodstock used for commercial production are screened annually. The results in 2011 indicated 100% compliance with federal permit conditions that require all fish stocked to be of North American Origin. These results are reviewed annually by regulatory agencies to ensure compliance with permit conditions in the Biological Opinion issued by NMFS in 2003.	Ongoing
4.3.3 Review marking plans to ensure compliance with permit conditions.	Annual marking plans are submitted by industry and reviewed by regulatory agencies to ensure compliance with permit conditions in the Biological Opinion issued by NMFS in 2003. In 2011, all juvenile fish	Ongoing

	were marked (either genetically or physically) to enable identification of the individual rearing facility (i.e., site specific).	
4.3.5 Install and operate weirs and traps on selected rivers to intercept aquaculture escapees and conduct genetic and fish health assessments of any captured escapees.	Traps on the Narraguagus and Penobscot Rivers are operated annually. Weirs for other rivers near aquaculture operations are only installed when an escape event occurs such as in 2005.	Ongoing
4.3.7 Annually review audit results, loss reports, data on permit compliance, and data on escapees detected in rivers to determine if limits have been exceeded and if consultation needs to be reinitiated.	These reviews have been conducted since the Biological Opinion was issued in 2003. Information obtained from annual reporting, audits and production records have indicated compliance with all permit requirements and that take levels have not been exceeded.	Ongoing
4.4.1 Review and update as necessary plans to manage broodstock to protect genetic integrity of restoration populations.	A broodstock management plan has been in place for the GOM DPS since 2006. A similar plan for the Connecticut River was recently approved by the Connecticut River Technical Committee.	Ongoing
4.4.2 Review and update as necessary stocking plans for each restoration river system to ensure compliance with the NASCO guidelines contained in the Williamsburg Resolution.	A rigorous evaluation of stocking plans for all Atlantic salmon programs was completed in 2005 by the US Atlantic Salmon Assessment Committee. Recent evaluation in developing the Aquaculture Focus Area Report confirmed that these programs are largely consistent with the Williamsburg Resolution.	Ongoing
Other influences affecting salmon abundance or diversity (including marine environment)		
4.5.3 Implement the Penobscot River Restoration Project (PRRP).	In December 2010, the Penobscot River Restoration Trust purchased Veazie, Great Works, and Howland Dams pursuant to the Penobscot River multi-party settlement	Ongoing

	agreement. To date, the Trust has secured sufficient funds to remove Great Works Dam in 2012. This represents significant progress toward the implementation of the Penobscot River Restoration Project.	
4.5.5 Implement rigorous, pre-removal monitoring of the PRRP to evaluate the effects of dam removal and concomitant changes in ecological functions (e.g. predator-prey dynamics) following implementation.	In 2008, NMFS developed a pre- and post-removal monitoring plan for the PRRP. This plan includes provisions for evaluating sediment transport, water quality, wetland and riparian community structure, invertebrate community structure, fish community structure, upstream and downstream fish passage efficiency, among other important parameters. Funds (1.3M USD) from the American Recovery and Reinvestment Act were secured in 2009 to implement the many components of this plan and collection of essential baseline data is ongoing.	Ongoing
4.5.7 In watersheds in which comprehensive diadromous fish restoration has already begun, continue to provide fish passage for American shad, alewife, blueback herring, sea lamprey, shortnose sturgeon, Atlantic sturgeon, American eel, and other diadromous species, as appropriate as well as other support activities such as habitat improvement and stock transplantation.	In 2011, many fish passage improvement projects such as dam removals and road-stream crossing remediation projects were initiated or completed. For example, construction began on the Wallace Dam fishway on the Quinnipiac River in Wallingford, Connecticut. Additionally, Project SHARE replaced roughly 12 road-stream crossings that impeded fish passage and natural stream function with open-bottom structures; the majority of these sites were located in the Machias River watershed in eastern Maine. Many other fish passage	Ongoing

	improvement projects are in various phases of completion in the US; these are offered as examples only.	

Section 5: Details of any proposed revisions to the Implementation Plan.
