



Agenda item 7.1  
For information

**Council**

**CNL(18)23**

***Annual Progress Report  
on Actions Taken Under the Implementation Plan for the Calendar Year 2017***

***United States***



## CNL(18)23

### *Annual Progress Report on Actions taken under the Implementation Plan for the Calendar Year 2017*

The primary purposes of the Annual Progress Reports are to provide details of:

- any changes to the management regime for salmon and consequent changes to the Implementation Plan;
- actions that have been taken under the Implementation Plan in the previous year;
- significant changes to the status of stocks, and a report on catches; and
- actions taken in accordance with the provisions of the Convention

These reports will be reviewed by the Council. Please complete this form and return it to the Secretariat **no later than 29 March 2018**.

<b>Party:</b>	<b>United States</b>
<b>Jurisdiction/Region:</b>	

<b>1: Changes to the Implementation Plan</b>	
<b>1.1 Describe any proposed revisions to the Implementation Plan</b> <i>(Where changes are proposed, the revised Implementation Plans should be submitted to the Secretariat by 1 December).</i>	
None.	
<b>1.2 Describe any major new initiatives or achievements for salmon conservation and management that you wish to highlight.</b>	
None.	

<b>2: Stock status and catches.</b>				
<b>2.1 Provide a description of any new factors which may significantly affect the abundance of salmon stocks and, if there has been any significant change in stock status since the development of the Implementation Plan, provide a brief (200 word max) summary of these changes.</b>				
For 2017, there are no new factors which we expect to significantly affect the abundance of salmon stocks in the United States. Provisionally, adult returns to U.S. waters in 2017 were 1,041.				
<b>2.2 Provide the following information on catches:</b> <i>(nominal catch equals reported quantity of salmon caught and retained in tonnes ‘round fresh weight’ (i.e. weight of whole, ungutted, unfrozen fish) or ‘round fresh weight equivalent’).</i>				
(a) provisional nominal catch (which may be subject to revision) for 2017 (tonnes)	In-river	Estuarine	Coastal	Total
	0	0	0	0

(b) confirmed nominal catch of salmon for 2016 (tonnes)	0	0	0	0
(c) estimated unreported catch for 2017 (tonnes)	0	0	0	0
(d) number and percentage of salmon caught and released in recreational fisheries in 2017	There are no recreational fisheries for sea-run Atlantic salmon in the United States. There are, however, small fisheries for domestic broodstock in the Merrimack, Naugatuck, and Shetucket Rivers in Southern New England; these rivers are outside the geographic range of our recovery program for wild endangered salmon.			

### 3: Implementation Plan Actions.

**3.1 Provide an update on progress against actions relating to the Management of Salmon Fisheries** (Section 2.8 of the Implementation Plan).  
*Note: The reports under ‘Progress on Action to Date’ should provide a brief overview with a quantitative measure of progress made. While referring to additional material (e.g. via links to websites) may assist those seeking more detailed information, this will not be evaluated by the Review Group.*

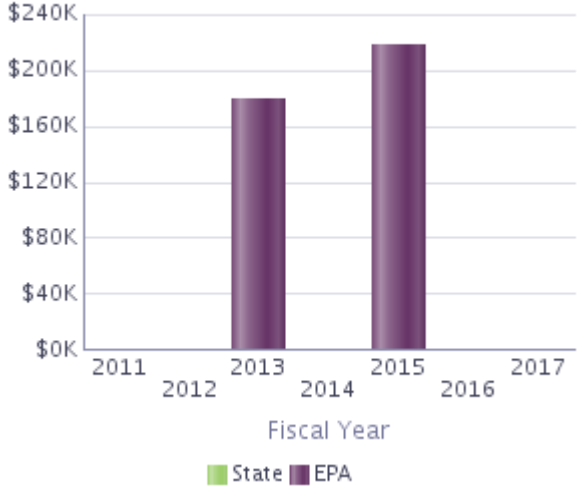
<b>Action F1:</b>	Description of Action <i>(as submitted in the IP)</i>	Continue to remain active in the West Greenland Commission and the North American Commission
	Expected Outcome <i>(as submitted in the IP)</i>	Continued collaborative management of the fishery at West Greenland, enhanced collaboration with France (in respect of St. Pierre et Miquelon) regarding the fishery at St. Pierre et Miquelon, and enhanced collaboration with Canada regarding the fishery in Labrador
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	West Greenland Commission (WGC): The United States continues to work with the other parties to the WGC. In 2017, we participated in the intersessional meeting of the WGC and the annual meeting of the WGC. We also continued to facilitate sampling in the West Greenland fishery. We are preparing for the annual meeting of the WGC in June 2018, and intend to consult with all the parties in advance of those meetings, including participating actively at the 2018 WGC intersessional meetings, to help ensure their success.  North American Commission (NAC): We will continue to support efforts to monitor and sample the fishery at St. Pierre et Miquelon. We continually review any new information pertaining to the mixed-stock fishery in Labrador and confer with Canada routinely.
	Current Status of Action	Ongoing
	If ‘Completed’, has the Action achieved its objective?	

<b>Action F2:</b>	Description of Action <i>(as submitted in the IP)</i>	Work with state authorities to ensure that recreational fisheries for other species, such as brook trout, reduce bycatch of salmon to the maximum extent possible.
	Expected Outcome <i>(as submitted in the IP)</i>	Closures of certain areas of rivers, gear restrictions, bag limit reductions and other means could be agreed to within the context of a conservation plan for recreational fishing permitted by the State of Maine.
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	Stringent regulations governing recreational fishing ( <a href="http://www.state.me.us/ifw/fishing/laws/pdfs/2017fishinglawbook.pdf">http://www.state.me.us/ifw/fishing/laws/pdfs/2017fishinglawbook.pdf</a> ) in salmon habitats remained in place in 2017 as well as the “take” prohibitions of the Federal Endangered Species Act. Fishing regulations explain that sea-run salmon are federally endangered and cannot be removed from the water. Anglers are also prohibited from retaining landlocked salmon and brown trout above 25 inches in roughly 40 specific waters to ensure that adult sea-run salmon are not incidentally captured and retained. These additional protections for Atlantic salmon resulted from discussions among local fisheries managers. Further, discussions continue on the development of a comprehensive conservation plan applicable to the entire freshwater range of endangered salmon.
	Current Status of Action	Ongoing
	If ‘Completed’, has the Action achieved its objective?	
<b>Action F3:</b>	Description of Action <i>(as submitted in the IP)</i>	Maintain closures for all directed fisheries for Atlantic salmon
	Expected Outcome <i>(as submitted in the IP)</i>	Reduced risk to productive capacity.
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	Directed fisheries for sea-run salmon remain closed.  The National Oceanic and Atmospheric Administration (NOAA) maintains a vessel landings database, a dealer purchases database, and an observer database for commercial fisheries subject to federal jurisdiction. For 2017, our query of the dealer purchases database revealed 67 pounds of salmon being sold. We expect that this was a reporting error and are seeking to verify that report at the time of writing this annual report. Our query of the vessel landings database revealed no record of Atlantic salmon having been caught. For the observer database, bycatch of Atlantic salmon remains a rare event. Interactions have been observed in only 7 of the 29-year time series, and no Atlantic salmon have been observed since August 2013, though complete information for the entire calendar year of 2017 is not yet available.
	Current Status of Action	Ongoing

If 'Completed', has the Action achieved its objective?	
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**3.2 Provide an update on progress against actions relating to Habitat Protection and Restoration** (Section 3.4 of the Implementation Plan).  
*Note: The reports under 'Progress on Action to Date' should provide a brief overview with a quantitative measure of progress made. While referring to additional material (e.g. via links to websites) may assist those seeking more detailed information, this will not be evaluated by the Review Group.*

<b>Action H1:</b>	Description of Action <i>(as submitted in the IP)</i>	Improve fish passage by removing dams, installing fishways, removing culverts, decommission roads, and upgrading road-stream crossings
	Expected Outcome <i>(as submitted in the IP)</i>	Enhanced connectivity between freshwater habitats and the Atlantic Ocean
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	<p>In 2017, 21 additional aquatic connectivity projects were completed within the freshwater range of endangered salmon in Maine. The primary goal of these projects was to restore aquatic organism connectivity and ecological stream processes by allowing the natural flow of materials (water, wood, sediment). A total of over 32 miles of stream were made accessible as a result of these projects. These efforts were made possible due to strong partnerships involving the Natural Resource Conservation Service, Penobscot Indian Nation, Project SHARE, Maine Dept. Inland Fisheries and Wildlife, Maine Dept. of Marine Resources, Maine Dept. of Conservation, Maine Forest Service, NOAA Fisheries, Atlantic Salmon Federation, U.S. Fish and Wildlife Service, The Nature Conservancy, Downeast Lakes Land Trust, municipalities, lake associations, towns, and numerous private landowners.</p> <p>In southern New England, there were also several other dam removals in tributaries of the Merrimack River (Balmoral and Marland Place Dams) and Pawcatuck River (Bradford Dam) that may benefit salmon and other sea-run fish. The Bradford Dam removal was part of a broader strategy to improve connectivity on the Pawcatuck River that has now resulted in total of 31 miles that are now accessible to migratory fishes and a total cost of roughly \$2 million (USD).</p>
	Current Status of Action	Ongoing
	If Completed, has the Action achieved its objective?	
<b>Action H2:</b>	Description of Action <i>(as submitted in the IP)</i>	Continue to implement Clean Water Act and other federal and state laws
	Expected Outcome <i>(as submitted in the IP)</i>	Continued water quality improvement

<p>Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i></p>	<p>The Maine Department of Environmental Protection implements water quality programs under the Clean Water Act and state law. The Department is responsible for managing, protecting and enhancing the quality of Maine's water resources through voluntary, regulatory, and educational programs. The Department collaborates with local, state and federal agencies to plan and implement strategies to protect Maine's water quality.</p> <p>An online archive of enforcement and monitoring results over the last five years is available online at <a href="http://echo.epa.gov">echo.epa.gov</a>. A summary of recent enforcement actions in Maine pursuant to the Clean Water Act (Figure H2) reveals a total of roughly \$400,000 (USD) in fines. There were no new enforcement actions made public in 2017.</p> <p style="text-align: center;"><b>Total Monetary Penalties Assessed (All)</b></p>  <p style="text-align: center;">Figure H2. Total monetary penalties assessed related to enforcement actions in Maine from 2011 through 2017.  </p>	
<p>Current Status of Action</p>	<p>Ongoing</p>	
<p>If Completed, has the Action achieved its objective?</p>	<p> </p>	
<p><b>Action H3:</b></p>	<p>Description of Action <i>(as submitted in the IP)</i></p>	<p>Conduct consultations on all federal actions in areas where Atlantic salmon Essential Fish Habitat is designated and issue conservation recommendations to avoid, minimize or mitigate impacts to salmon habitat</p>
	<p>Expected Outcome <i>(as submitted in the IP)</i></p>	<p>No net loss of productive capacity</p>

<p>Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i></p>	<p>Under the Magnuson-Stevens Act, Essential Fish Habitat (EFH) must be designated for all managed species. For Atlantic salmon, EFH (which equates roughly to the historic range of the species) has been designated by NOAA and the New England Fishery Management Council (<a href="http://www.greateratlantic.fisheries.noaa.gov/hcd/webintro.html">http://www.greateratlantic.fisheries.noaa.gov/hcd/webintro.html</a>). The EFH provisions of the Act require Federal agencies to consult with NOAA regarding any actions authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken that may adversely affect EFH. NOAA incorporates EFH consultations into interagency procedures previously established under the National Environmental Policy Act, Endangered Species Act, Clean Water Act, Fish and Wildlife Act, or other applicable statutes. If a federal project may have an adverse effect on EFH, Federal action agencies are required to prepare an Essential Fish Habitat Assessment which must include (1) a description of the proposed action; (2) an analysis of the effects, including cumulative effects; (3) the Federal agency's conclusions regarding the effects of the action on EFH; and (4) proposed mitigation, if applicable. NOAA is required to provide EFH conservation recommendations to Federal and state agencies for actions that would adversely affect EFH. These recommendations may include measures to avoid, minimize, mitigate, or otherwise offset adverse effects on EFH. Federal agencies are required to respond to EFH conservation recommendations in writing within 30 days explaining how they will incorporate them or why they will not.</p> <p>For 2017, NOAA had approximately 35 requests for consultations, and we provided conservation recommendations for approximately 10 projects that were in Atlantic salmon EFH. While this is our best attempt to quantify progress under this action, we caution that it should not be used as a metric to compare progress from year-to-year. We respond to requests for EFH consultation as they are received and do not have control over the number of requests in a given year. In many instances, EFH conservation recommendations are not necessary because project proponents are already proposing best management practices to reduce impacts to the maximum extent practicable.</p>
<p>Current Status of Action</p>	<p>Ongoing</p>
<p>If Completed, has the Action achieved its objective?</p>	<p></p>



<b>Action H4:</b>	Description of Action <i>(as submitted in the IP)</i>	Issue conservation recommendations to avoid and minimize impacts to salmon habitat on all federal actions in areas where Atlantic salmon are listed as endangered and Critical Habitat is designated
	Expected Outcome <i>(as submitted in the IP)</i>	No net loss of productive capacity
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	<p>Under the Endangered Species Act, the United States has designated critical habitat for Atlantic salmon. NOAA and the U.S. Fish and Wildlife Service (USFWS) conduct consultations with other federal agencies pursuant to the Endangered Species Act, which requires all federal agencies ensure that any action they authorize, undertake or fund does not reduce the likelihood of the survival and recovery of endangered Atlantic salmon. The Endangered Species Act also requires NOAA and USFWS to analyse whether an action may result in destruction or adverse modification of critical habitat. If it does, NOAA and USFWS must develop alternatives for action agencies to implement in order to minimize effects to the species and/or habitat to the maximum extent possible.</p> <p>In 2017, USFWS completed roughly 66 consultations, and NOAA completed roughly 22 consultations within designated Critical Habitat. While this is our best attempt to quantify progress under this action, we caution that it should not be used as a metric to compare progress from year to year. We respond to requests for ESA consultation as they are received and do not have control over the number of requests received in a given year.</p>
	Current Status of Action	Ongoing
	If Completed, has the Action achieved its objective?	

**3.3 Provide an update on progress against actions relating to Aquaculture, Introductions and Transfers and Transgenics** (Section 4.8 of the Implementation Plan).

*Note: The reports under ‘Progress on Action to Date’ should provide a brief overview with a quantitative measure of progress made. While referring to additional material (e.g. via links to websites) may assist those seeking more detailed information, this will not be evaluated by the Review Group.*

<b>Action A1:</b>	Description of Action <i>(as submitted in the IP)</i>	Continue to monitor implementation of protective measures identified in the Biological Opinion from 2003. Continue collaboration with Canadian provincial and federal agencies to inform new regulations for consistency with U.S. federal permit requirements.
	Expected Outcome <i>(as submitted in the IP)</i>	Zero escapes, reduced disease transfer
	Progress on Action to Date	We continue to monitor compliance with protective measures in place within the U.S. salmon farming

	<i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	industry. The current status of active farm sites in Maine shows all sites are in full compliance with the required permit conditions. There were no reportable escape events in 2017. As reported last year, there were, however, two aquaculture escapees in the Dennys River and one in the Penobscot River in 2016. Since all of the farmed fish in the United States are genetically marked, we were able to determine that the fish were of farmed origin and from which site they escaped. In 2017, roughly 50 tissue samples were collected from 0+parr in the Dennys River in the vicinity of known redds. Results are not available yet, but the intent is to assess potential introgression risks as early as possible.
	Current Status of Action	Ongoing
	If Completed, has the Action achieved its objective?	
<b>Action A2:</b>	Description of Action <i>(as submitted in the IP)</i>	Implement specific regulations and guidelines for importation of baitfish described in State laws and a National Aquatic Animal Health Plan (NAAHP).
	Expected Outcome <i>(as submitted in the IP)</i>	Reduced transmission of diseases of concern including; Viral Hemorrhagic Septicemia and Bacterial Kidney Disease.
	Progress on Action to Date <i>(Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</i>	As described in our APR submitted in 2016 and 2017, the Northeast Fish Health Committee (NEFHC, a subcommittee of the Northeast Fisheries Administrators Association) encourages state and federal fish and wildlife agencies to develop rules, regulations, and/or protocols to manage fish importation in ways that minimize the movement of pathogens. The NEFHC annually reviews the fish health status of the Northeast states and have developed regional guidelines that enable state resource agencies to prevent the importation or transfer among member states of fish infected with the listed pathogens of concern. In 2015, the NEFHC completed revisions to the existing fish health guidelines to include fish importation, movement and transfer between all states in the Northeast United States (Connecticut, Delaware, Maine, Maryland, Massachusetts New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia). These revisions have been unanimously accepted by the Northeast Fisheries Administrators for each of the States represented above.
	Current Status of Action	Completed
	If Completed, has the Action achieved its objective?	Yes.
<b>Action A3:</b>	Description of Action <i>(as submitted in the IP)</i>	Implement broodstock management protocols at conservation hatcheries.

<p>Expected Outcome (as submitted in the IP)</p>	<p>Slow the rate of the loss of genetic diversity.</p>																																								
<p>Progress on Action to Date (Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)</p>	<p>Estimates of genetic diversity are used to monitor if genetic diversity within seven broodstock populations is being maintained over time. Maintenance of genetic diversity is a primary goal of the hatchery program: to maintain the genetic characteristics of each individual broodstock, to allow for the diversity to persist for natural selection and adaptation to occur, and to ensure that genetic diversity is not being lost inadvertently due to management practices. Estimates of heterozygosity (observed and expected) compared over time within a broodstock and between broodstocks indicate that similar levels of diversity are present in each broodstock; however, some broodstocks, such as the Dennys and Pleasant River, have slightly decreased estimates of allelic diversity relative to other broodstocks, and observed decreases in the past 10 years, likely a result of decreased broodstock number. Estimates of effective population size also vary between broodstocks from between 50 to 150 for most populations to over 500 for the Penobscot, due to the larger total broodstock number and overall population size of the Penobscot River population (see below). In addition, pedigree lines have been established for the Dennys population to more assertively reduce the rate of loss of genetic diversity and to increase estimates of effective population size. A pedigree line for the Narraguagus River has also been established.</p> <div data-bbox="715 1339 1433 1854" data-label="Figure"> <table border="1"> <caption>Estimated data for Figure A3: Effective Population Size</caption> <thead> <tr> <th>Year</th> <th>Dennys</th> <th>East Machias</th> <th>Machias</th> <th>Narraguagus</th> <th>Penobscot</th> <th>Pleasant</th> <th>Sheepscot</th> </tr> </thead> <tbody> <tr> <td>2002</td> <td>100</td> <td>50</td> <td>120</td> <td>150</td> <td>200</td> <td>80</td> <td>100</td> </tr> <tr> <td>2007</td> <td>120</td> <td>60</td> <td>100</td> <td>140</td> <td>280</td> <td>70</td> <td>90</td> </tr> <tr> <td>2012</td> <td>110</td> <td>80</td> <td>130</td> <td>160</td> <td>360</td> <td>90</td> <td>110</td> </tr> <tr> <td>2017</td> <td>130</td> <td>90</td> <td>140</td> <td>170</td> <td>550</td> <td>100</td> <td>120</td> </tr> </tbody> </table> </div> <p>Figure A3. Estimates of effective population size for the seven Atlantic salmon broodstocks managed through the USFWS conservation hatchery program in</p>	Year	Dennys	East Machias	Machias	Narraguagus	Penobscot	Pleasant	Sheepscot	2002	100	50	120	150	200	80	100	2007	120	60	100	140	280	70	90	2012	110	80	130	160	360	90	110	2017	130	90	140	170	550	100	120
Year	Dennys	East Machias	Machias	Narraguagus	Penobscot	Pleasant	Sheepscot																																		
2002	100	50	120	150	200	80	100																																		
2007	120	60	100	140	280	70	90																																		
2012	110	80	130	160	360	90	110																																		
2017	130	90	140	170	550	100	120																																		

		Maine. Note: The large increase in effective population size in the Penobscot population, starting in 2007, was due to an increase in the target number of broodstock collected for spawning.
	Current Status of Action	Ongoing
	If Completed, has the Action achieved its objective?	
<b>Action A4:</b>	Description of Action (as submitted in the IP)	Coordination with state programs that stock salmonids to support recreational fisheries.
	Expected Outcome (as submitted in the IP)	Identification of potential areas of overlap of salmon and other stocked salmonids.
	Progress on Action to Date (Provide a brief overview with a quantitative measure of progress. Other material (e.g. website links) will not be evaluated.)	Many salmon rivers are no longer stocked with non-native species such as brown trout and rainbow trout. Discussions and decisions on such matters most often occur on a river-by-river basis. There is not yet a comprehensive conservation plan for Atlantic salmon regarding the stocking of salmonids to support recreational fisheries that has been agreed to by all relevant State government authorities and no specific date set for the Maine Department of Inland Fisheries and Wildlife to develop such a plan. There is, however, progress in curtailing stocking of non-native salmonids in salmon rivers. For example, the Maine Department of Inland Fisheries and Wildlife and the Maine Department of Marine Resources have agreed that the stocking locations of non-native salmonids will be spatially segregated from areas that are actively managed for Atlantic salmon
	Current Status of Action	Ongoing
	If Completed, has the Action achieved its objective?	

<b>4: Additional information required under the Convention</b>	
4.1	Details of any laws, regulations and programmes that have been adopted or repealed since the last notification.
None.	
4.2	Details of any new commitments concerning the adoption or maintenance in force for specified periods of time of conservation, restoration and other management measures.
None.	
4.3	Details of any new actions to prohibit fishing for salmon beyond 12 nautical miles.
None.	
4.4	Details of any new actions to invite the attention of States not Party to the Convention to matters relating to the activities of its vessels which could adversely affect salmon stocks subject to the Convention.
None.	

4.5	Details of any actions taken to implement regulatory measures under Article 13 of the Convention including imposition of adequate penalties for violations.
	None.
<b>North American Commission Members only:</b>	
4.6	Details of any new measures to minimise by-catches of salmon originating in the rivers of the other member.
	None.
4.7	Details of any alteration to fishing patterns that result in the initiation of fishing or increase in catches of salmon originating in the rivers of another Party except with the consent of the latter.
	None.