



United States Department of the Interior
Bureau of Indian Affairs
Northwest Regional Office
911 NE 11th Avenue
Portland, Oregon 97232-4169

APR 16 2018

In Reply Refer To:
Regional Director's Office

Mr. Barry Thom
Regional Administrator
National Marine Fisheries Service, West Coast Region
1201 Northeast Lloyd Boulevard, Suite 100
Portland, Oregon 97232

Re: Bureau of Indian Affairs' Request for Consultation under Section 7 of the Endangered Species Act on the 2018-2019 Puget Sound Chinook Harvest Plan

Dear Mr. Thom:

In a letter to the National Marine Fisheries Service (NMFS) dated April 13, 2018, the Puget Sound Treaty Tribes and the Washington Department of Fish and Wildlife (WDFW) (as fishery co-managers) formally notified NMFS that they have reached agreement on a 2018-2019 Puget Sound Chinook Harvest Plan (2018-2019 Plan or Plan). At the request of the Treaty Tribes that are parties to *United States v. Washington*, the BIA is initiating consultation on the Plan under Section 7 of the Endangered Species Act (ESA) with NMFS. The 2018-2019 Plan encompasses the information and commitments of the 2010-2014 RMP as amended by the Summary of Modifications to Management Objectives of the 2010 Puget Sound Chinook Harvest Management Plan for the 2018-2019 Season; the 2018-2019 List of Agreed Fisheries (LOAF), which provides specific details about individual anticipated fisheries by location, gear, time and management entity; an addendum related to on-going management of the late-timed fall Chinook hatchery program in the Skokomish River; a summary of the Pacific Salmon Commission Technical Committee 2018 Juan de Fuca Strait Chum Salmon sampling program; the 2018 Green River Management actions and the co-managers' anticipated steelhead impacts.

The provisions of the 2018-2019 Plan were developed pursuant to *United States v. Washington* and other related cases. The BIA is initiating consultation on behalf of the Treaty Tribes on the basis of the United States' status as plaintiff in *United States v. Washington* and its role as a party to the Tribes' treaties, which gives the BIA the authority to assist with the development of the co-managers 2018-2019 Plan. The BIA's action is also consistent with the federal government's trust responsibilities and various Secretarial Orders.¹ The BIA is also the lead Federal agency for compliance with the National Environmental Policy Act (NEPA) and other applicable laws, regulations and guidelines. Attached for your convenience is a copy of the draft Environmental Assessment (EA) for the 2018-2019 Puget Sound Salmon and Steelhead Fisheries Plan.

¹ See Secretarial Order 3206, American Indian Tribal Rights, Federal Trust Responsibilities, and the Endangered Species Act (June 5, 1997), Secretarial Order 3335, Reaffirmation of the Federal Trust Responsibility to Federally Recognized Indian Tribes and Individual Indian Beneficiaries (August 20, 2014).

Please contact Rudy Peone, Fisheries Biologist, with questions or comments related to this request. You may contact him at Rudy.Peone@bia.gov.

Sincerely,

ACTING
Bodie Shaw
Northwest Regional Director

Enclosures (4)