



## **Endangered Species Act Alert 2000-14**

**RE: Judge Rules Klamath Steelhead Should be Listed as Threatened;  
NMFS Finds Emergency Listing of Lower Columbia Coho Not  
Warranted**

**DATE: November 3, 2000**

### **Klamath Mountains Steelhead:**

A federal judge has ordered the reconsideration of a decision not to list steelhead in Southern Oregon and Northern California as threatened under the Endangered Species Act. The Klamath Mountain population of steelhead—ranging from the Elk River near Port Orford to the Klamath and Trinity rivers in Oregon and California—are the only steelhead population in Oregon not listed as threatened or endangered.

When National Marine Fisheries Service decided not to list these fish, the agency pointed to the Oregon Plan for Salmon and Watersheds developed under Governor Kitzhaber in 1997. NMFS believed that the Oregon Plan would provide the measures needed to protect and recover the species, and therefore, decided that listing was not necessary.

U.S. District Judge Susan Illston, however, ruled that NMFS acted in an arbitrary and capricious fashion by determining that “voluntary and future actions” under the Oregon Plan would be sufficient to protect Klamath steelhead. Her ruling agreed with the assertions of conservation and fisheries groups in Oregon and California, who brought the suit against NMFS. This ruling represents another blow to Oregon’s salmon plan; in 1998, a federal judge ruled that the plan would not be sufficient to keep coastal coho salmon off the endangered species list. More information can be found at:

[http://www.oregonlive.com/news/index.ssf?/news/oregonian/00/11/lc\\_61steel03.frame](http://www.oregonlive.com/news/index.ssf?/news/oregonian/00/11/lc_61steel03.frame)

### **Lower Columbia Coho:**

Since July, NMFS has been reviewing a petition from three fishing groups to list the Lower Columbia population of coho salmon and designate critical habitat for them on an emergency basis. Today, NMFS released its determination that while an emergency listing is not supported, the petition provided enough information to warrant a full status review and potential listing determination. NMFS is requesting information and comment on this species and its habitat. More information is available at:

[www.nwr.noaa.gov](http://www.nwr.noaa.gov).

### **Help Spread the Word**

Parametrix project managers are encouraged to share this information with clients who may be interested in, or affected by, ESA listings and issues. Additional questions should be addressed to Megan Callahan Grant ([mcallahan@parametrix.com](mailto:mcallahan@parametrix.com)), ESA Program Policy Analyst, who can direct them to the appropriate specialist.