



Endangered Species Act Alert 2006-1

RE: Final listing decision on steelhead
DATE: January 6, 2006

The National Marine Fisheries Service (NMFS) has published its final listing decision for 10 populations of West Coast steelhead (*Oncorhynchus mykiss*) in Washington, Oregon, Idaho and California ([Federal Register, volume 71 page 834, January 5, 2006](#)). The populations involved include the Southern California, South-Central California Coast, Central California Coast, California Central Valley, Northern California, Lower Columbia River, Upper Willamette River, Middle Columbia River, Upper Columbia River, and Snake River Basin. This decision is in response to litigation involving West Coast salmonids and makes several changes to previous listings of steelhead.

- 1) NMFS changed the nomenclature used to designate the populations. Previously, NMFS had divided steelhead, as well as other salmonids, into “Evolutionary Significant Units” (ESU) based on reproductive isolation and evolutionary significance. In this instance, NMFS used “Distinct Population Segments” (DPS) to designate populations. This term is used by U.S. Fish and Wildlife (USFWS) and is also the term used to describe populations in the Endangered Species Act (ESA). Each DPS must be discrete from other populations, and it must be significant to the species. The ESU policy was originally applied to salmonids because NMFS believed it was a more appropriate method to characterize salmonid populations than DPS. At this point in time, NMFS is using the DPS designation for only these steelhead populations. It has not changed the ESU designation for other Pacific salmonid populations.

The decision to use the DPS designation to list steelhead is in response to the fact that USFWS has joint jurisdiction over a portion of the *O. mykiss* species. Non-anadromous resident *O. mykiss*, commonly known as rainbow trout, are under the jurisdiction of USFWS although no populations have been listed under the ESA. NMFS believes that using the USFWS DPS process is appropriate given this shared jurisdiction. NMFS used a similar approach for some Atlantic salmon populations with shared jurisdiction.

This change will have little, if any, effect on application of the ESA to these listed populations.. The terms are essentially synonyms although they use a slightly different process. The new DPS groupings are nearly identical to the previous ESU groupings. No resident rainbow trout are included in any of the new DPSs. The change does not affect any of the typical ESA process and requirements such as section 7 consultation.

- 2) Primarily in response to the 2001 *Alesea Valley* court case involving coastal coho, NMFS has included specific hatchery stocks of steelhead in each of the new DPS listings. These hatchery fish now receive the same regulatory protections as naturally produced fish. For specific hatchery stocks included in each DPS, see the Federal Register notice. This change means that take of these listed hatchery stocks will need to comply with the provisions of the ESA. It also means that hatchery practices and production will need to be addressed for these DPSs in recovery planning.
- 3) The only change in the listing status of steelhead populations was to the Upper Columbia River DPS which was down-listed from Endangered to Threatened. This DPS includes all naturally spawned steelhead in the Columbia River Basin upstream of the Yakima River and six hatchery stocks. These hatchery stocks include the Wenatchee River, Wells (Methow and Okanogan river

stocks), Winthrop, Omak Creek, and the Ringold steelhead hatchery programs. The inclusion of these hatchery stocks to the DPS is the primary reason for the change in status. The down-listing has little immediate effect because NMFS uses the same regulatory mechanisms to protect threatened and endangered species. Regardless, the inclusion of hatchery stocks in this DPS will probably result in recovery over a shorter period of time. All other steelhead DPSs have the same status as the previous ESU listings.

While not included in this new decision, NMFS has indicated that it is continuing to work on a review of steelhead populations for the Puget Sound and will use the DPS approach to list any appropriate populations for that geographic area.

Additional Resources:

NMFS steelhead listings: <http://www.nwr.noaa.gov/ESA-Salmon-Listings/Salmon-Populations/Alsea-Response/Steelhead-ESA-Listings.cfm>

Need More Information?

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