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Case Study 12: Fisheries and Public Participation

1. Go to this Federal Register Link, which focuses on a petition to list Oregon Coast spring-run Chinook Salmon as threatened or endangered under the Endangered Species Act (ESA). Answer the following questions using your book, lectures, and the information contained on this webpage, especially in the Supplemental Information section (scroll down).

a. Describe the issue at hand, and why this has been posted to the Federal Register? In what ways is this announcement seeking public participation?

The issue here is whether or not spring-run and fall-run Chinook salmon are distinct ecological units, based on new genomic information that makes the spring vs. fall runs based on unique life-history types. Therefore, the habitat for spring-run Chinook would have to be protected if they are given threatened or endangered status. The announcement is seeking information related to genetic, behavioral, and other pertinent information on if premature migration arose from a unique evolutionary event within the species and would be lost if not conserved under the ESA.

b. Why are petitioners seeking protection using the ESA, and what step of the ESA process is this issue in?

The petitioners claim that based on behavioral reproductive tendencies (e.g., location and timing) the spring-run Chinook salmon are a evolutionarily unique divergence from the rest of the Oregon Coast Chinook salmon population and, as such, are at risk of extinction. The previous federal actions had decided that this ESU would not become extinct nor are they at risk of extinction in the future. Therefore, this falls into a renewed version of the *identification* phase of the Endangered Species Act

c. What other legislation, outside of ESA, pertains to anadromous fisheries, like salmon, in the US?

Other legislation includes the Anadromous Fish Conservation Act of 1965, the Pacific Northwest Power Planning and Conservation Act of 1980.

2. Go to this Federal Register Link, which focuses on an Environmental Impact Statement (EIS) for a ski area expansion in the Superior National Forest. Answer the following questions using your book, lectures, and the information contained on this webpage, especially in the Supplemental Information section (scroll down).

a. Describe the issue at hand, and why this has been posted to the Federal Register? In what ways is this announcement seeking public participation?

Under the Superior National Forest plan, development of recreational opportunities should be developed that fall within resource protection and other guidelines. Therefore, Lutsen Mountain Corporation is seeking a special use permit to expand their ski area onto federal forest land, enhancing both beginner and expert level skiing opportunities. This includes ski runs but also circulation, snow availability, and parking/guest services. The announcement seeks input from any affected parties, including native tribes and government agencies.

b. Why are is the US FS initiating an EIS, and what step of the NEPA process is this issue in?

The initiation of this EIS is intended to determine whether or not the proposed action will negatively affect T&E species or their habitat in the Superior National Forest. This is in the second step of the NEPA, where the government is exerting the mechanism to determine that, given a significant impact to T&E species is likely, an EIS must be drafted.

c. What other legislation, outside of NEPA, pertains to national forest management and land use in the US?

Other legislation pertinent to this case study includes the Multiple-Use-Sustained-Yield Act of 1960, and the National Forest Management Act of 1976.