

Northwest Region

April 22, 2009



Questions & Answers on the NOAA Fisheries Service Proposal to List Three Species of Puget Sound Rockfishes under the Endangered Species Act

Q. What did NOAA's Fisheries Service announce today about Puget Sound rockfishes?

A. Today we announced the results of a scientific review of the status of five species of rockfishes in Puget Sound, Wash. Based on our review we're proposing that the Georgia Basin distinct population segments (DPSs) of yelloweye and canary rockfish be listed as threatened species under the Endangered Species Act (ESA). We propose that the Georgia Basin DPS of bocaccio be listed as endangered. We concluded that an ESA listing is not warranted for the Puget Sound Proper DPSs of greenstriped and redstripe rockfish.

Q. What is a distinct population segment?

A. The ESA defines the term species to include a subspecies or distinct population segment (DPS) of any vertebrate species that interbreeds when mature.

Q. How are the geographical terms "Puget Sound Proper" and "Georgia Basin" defined as used in this proposed listing?

A. Puget Sound Proper, as referred to in this proposal, includes all of Puget Sound south of Admiralty Inlet. The Georgia Basin refers to all of Puget Sound, including the area around the San Juan Islands, and the Strait of Georgia north to the mouth of the Campbell River in British Columbia. The western boundary of the Georgia Basin runs from east of Port Angeles to Victoria in the Strait of Juan de Fuca.

Q. Why are the DPS boundaries for canary rockfish, yelloweye rockfish, and bocaccio different from the DPS boundaries for greenstriped and redstripe rockfish?

A. These five rockfish species have biological, life history, and habitat preference differences that led us to conclude that different DPSs were appropriate. For instance, bocaccio and canary rockfish are long-lived, larger rockfish that are capable of significant movement as adults. Greenstriped and redstripe rockfish are smaller, deeper-dwelling fish whose movements are likely limited by the shallow sills that separate the basins of Puget Sound Proper.

Q. Why did NOAA Fisheries review the ESA status of five Puget Sound rockfish species?

A. Any person can petition the Secretary (of Interior or Commerce) to list or delist a species under the ESA. Within 90 days after receiving a petition, to the maximum extent practicable, the Secretary must make a finding as to whether the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted. If a petition is found to present such information, the Secretary must promptly start a review of the status of the species concerned.

In April 2007, we received a petition from Sam Wright to list bocaccio and canary, yelloweye, greenstriped and redstripe rockfishes in Puget Sound under the ESA. In October 2007, we rejected that petition and declined to initiate a review of the species' ESA status. Later that month, we received a letter from Mr. Wright presenting

information that was not included in the April 2007 petition. It requested that we reconsider our earlier decision not to initiate a review of the species' status. We then found that the April 2007 petition, as supplemented by the information included in the October 2007 letter, presented substantial scientific or commercial information indicating that the petitioned actions may be warranted. We initiated a status review of these five rockfish species, and are now proposing ESA listings for three of them.

Q. Why did NOAA decide to propose ESA listing for three of these species?

A. After evaluating threats facing these DPSs, and considering efforts being made to protect them, we determined that yelloweye and canary rockfish are likely to become endangered within the foreseeable future. We determined that bocaccio are in danger of extinction. All three rockfish were harvested at high levels in the past, depleting their numbers. Like most rockfish, these bottom dwellers are long-lived and slow to mature and reproduce, making them especially vulnerable to overfishing. Other threats facing these species include abandoned fishing gear that continues to catch fish, and degraded water quality.

Q. Has NOAA's Fisheries Service proposed critical habitat and protective regulations for Georgia Basin rockfishes?

A. No. In this proposed rule we announced that we'll propose protective regulations and critical habitat in subsequent *Federal Register* notices. If bocaccio are listed as endangered, the ESA Section 9 prohibition against take of this species would go into effect at the time of listing. We're soliciting information from the public about the protective regulations that are necessary and advisable for conservation of these rockfishes, and biological and economic information relevant to making a critical habitat designation for them.

Q. What happens now that NOAA's Fisheries Service has proposed to list these rockfishes under the ESA?

A. We're soliciting information, comments, and suggestions from the public, other governmental agencies, the scientific community, industry, and any other interested parties. This will help us ensure that the final action resulting from this proposal will be as accurate and effective as possible, and informed by the best available scientific and commercial information. The public comment period will remain open for 60 days, until June 22, 2009. The ESA stipulates that within one year of the proposed rule (by Apr. 23, 2010) we must finalize the proposed listing; withdraw the proposed listing; or extend the one-year deadline for as long as six months to solicit more data to resolve substantial disagreement on the available data. If the proposed listings are finalized, recovery plans will be prepared for these rockfishes.

Q. How can I provide comment or additional information on this proposed listing of these rockfishes?

A. You may submit comments and information by any of the following methods:

Internet: Submit comments electronically through the Federal e-Rulemaking portal at <http://www.regulations.gov>. Follow the instructions for submitting comments.

Mail: Submit written comments and information to Chief, NMFS, Protected Resources Division, 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232.

Q. Where can I get more information on this proposal and the underlying science?

A. The *Federal Register* notice announcing the proposal, the scientific report reviewing the status of Puget Sound rockfishes, and other materials are available on the Web at:

<http://www.nwr.noaa.gov/Other-Marine-Species/Puget-Sound-Marine-Fishes/esa-rockfish.cfm>