



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, Washington 98115

Refer to NMFS No.:
WCR-2015-2812

August 4, 2016

Robert G. MacWhorter
Forest Supervisor
Rogue River – Siskiyou National Forest
3040 Biddle Road
Medford, Oregon 97504-4119

Re: Endangered Species Act Section 7(a)(2) Programmatic Biological Opinion and
Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat
Response for Suction Dredging and High Banking Notice of Intent Operations on
National Forest System Lands within the Rogue River-Siskiyou National Forest in
Oregon and California.

Dear Mr. MacWhorter:

Thank you for your letter of February 25, 2015, requesting initiation of consultation with National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NMFS) pursuant to section 7 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531 et seq.) for Programmatic Suction Dredging and High Banking Notice of Intent (NOI) Operations on National Forest System Lands within the Rogue River-Siskiyou National Forest (RRSNF) in Oregon and California. This action is in accordance with the RRSNF's authority under the Organic Administration Act of 1897.

In this opinion, NMFS concluded that the proposed action is not likely to adversely affect (NLAA) southern distinct population segment (DPS) Pacific eulachon (*Thaleichthys pacificus*). We also concluded that the proposed action is not likely to jeopardize the continued existence of Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*) and Oregon Coast (OC) coho salmon or result in the destruction or adverse modification of their designated critical habitats. Additionally, we concluded that the proposed action is not likely to jeopardize the continued existence of Southern DPS North American green sturgeon (*Acipenser medirostris*).

As required by section 7 of the ESA, NMFS provided an incidental take statement with the opinion. The incidental take statement describes reasonable and prudent measures NMFS considers necessary or appropriate to minimize incidental take associated with this action. The take statement sets forth nondiscretionary terms and conditions, including reporting requirements, that the RRSNF and any person who performs the action must comply with to carry out the reasonable and prudent measures. Incidental take from actions that meet these terms

