Federal Agencies Protect More Gulf of Maine Atlantic Salmon to Recover Imperiled Stocks

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Contacts: Teri Frady, NOAA 508-495-2239
Diana Weaver, Fish & Wildlife Service 413-253-8329

NOAA's Fisheries Service and the U.S. Fish and Wildlife Service today extended Endangered Species Act protection to more Atlantic salmon by adding fish in the Penobscot, Kennebec, and Androscoggin rivers and their tributaries to the endangered Gulf of Maine population first listed in 2000.

The decision is part of the ongoing effort to recover the imperiled fish, which once returned by the hundreds of thousands to most major rivers along the Northeastern U.S. and now returns in small numbers only to rivers in Maine.

"Legend has it you could once walk across these rivers on the backs of salmon," said FWS Acting Director Rowan Gould. "Unfortunately, in most years we are able to count barely 1,000 fish returning to the Penobscot and fewer than a hundred in the other two rivers. If we are ever going to recover this iconic species so that future generations can witness the teeming runs that awed past generations, we need to protect it now throughout the Gulf of Maine."

Endangered status under the ESA will now apply to all anadromous (sea-run) Atlantic salmon whose freshwater range covers the watersheds from the Androscoggin River northward along the Maine coast to the Dennys River, an area which includes the Penobscot and Kennebec rivers. It also applies wherever these fish occur in these rivers' estuaries and marine environment. Hatchery fish used to supplement these natural populations are also included under this rule.

Landlocked salmon and salmon raised in hatcheries for aquaculture are not included in the listed population.

Listed species receive the full protection of the Endangered Species Act, including a prohibition against take. Take is defined to include harass, harm, pursue, wound, kill, trap, capture, or collect.

The listing means that before federal support or authorization is provided for any activity that may affect the fish, it would need to be reviewed by federal authorities to ensure that it doesn't jeopardize the continued existence of the species or adversely modify its critical habitat. For instance, operators of hydro-electric dam facilities on the rivers or tributaries will need to consult with the agencies to ensure they are not in violation of the law. Others who would need to consult are those seeking federal permits for discharges into these waterways and those seeking permits for dredging or in-water work related to bridge construction.

"We will work closely with the state and industries to see that economic activities on rivers are affected as little as possible while we help ensure the salmon have the quality and quantity of habitat that allows them to recover and become a healthy and viable population," said Jane Lubchenco, Ph.D., under secretary of commerce for oceans and atmosphere and NOAA administrator.

In 2000, NOAA and FWS listed as endangered all naturally reproducing wild Atlantic salmon as well as river-specific hatchery populations returning to small coastal Maine rivers and their tributaries. As a group, these were called the Gulf of Maine population. A biological review team composed of federal and state agency biologists and a biologist from the Penobscot Indian Nation has since showed that salmon in the Androscoggin, Penobscot, and Kennebec rivers are also part of the same Gulf of Maine population. Today's action adds them to the population originally listed in 2000.

The state of Maine unsuccessfully challenged the 2000 listing claiming that there was no "species" eligible for protection under the Endangered Species Act due to the long history of stocking in Maine waters. The district court held that the services were correct in their determination.

In addition, the National Research Council was charged with examining available scientific information on the status of Atlantic salmon populations in Maine. Factors evaluated included the nature and discreteness of salmon populations in Maine rivers. The council published an interim report in 2002 on the genetic status of Atlantic Salmon in Maine, concluding that North American Atlantic salmon are clearly distinct genetically from European salmon. They also stated that despite the extensive additions of nonnative hatchery and aquaculture genotypes to Maine's rivers, the evidence is "surprisingly strong" that the wild salmon in Maine are genetically distinct from Canadian salmon. This supported the scientific foundation of the services' 2000 listing.

The fish's critical habitat-the area needed to support the fish population's survival and recovery--is contained in about 12,000 miles of river, stream and estuary habitat and about 300 square miles of lake habitat in Maine. This is the first time critical habitat has been determined for endangered Atlantic salmon.

In 2008, approximately 2,300 adult fish from the newly listed endangered population returned to spawn. This is an increase over recent years, but less than 10 percent of the number required before spawning stocks are thought to be in good condition.

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Nan Rollison
USFWS - Division of Partnerships and Program Support
Branch of Multimedia Technology
4401 N. Fairfax Drive, MS-3109
Arlington, VA 22203
703 358-2143
703 358-2246 fax