

Refer to NMFS No: WCRO-2024-03457

December 9, 2025

Laura Sample
Environmental Protection Specialist
U.S. Department of Transportation, Federal Aviation Administration
2200 S. 216th Street
Des Moines, WA 98198

Re: Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the Chehalis-Centralia Airport Improvements Chehalis, Washington HUC 12-171001030402.

Dear Ms. Sample:

This letter responds to your March 7, 2025, request for initiation of consultation with the National Marine Fisheries Service (NMFS) pursuant to Section 7 of the Endangered Species Act (ESA) for the subject action. Your request qualified for our expedited review and analysis because it met our screening criteria and contained sufficient information on, and analysis of, your proposed action and its potential effects to listed species and designated critical habitat.

We reviewed the Federal Aviation Administration's (FAA) consultation request and related initiation package. Where relevant, we have adopted the information and analyses you have provided and/or referenced but only after our independent, science-based evaluation confirmed they meet our regulatory and scientific standards. In our biological opinion below, we indicate what parts of your document we have incorporated by reference and where that information is being incorporated. We adopt by reference the following sections of the biological assessment (BA):

- Section 3 for the description of the proposed action.
- Section 4 for the environmental baseline and description of the action area.
- Section 5 for species and critical habitat information.
- Section 6 for effects on species and critical habitat.
- Section 7 for the cumulative effects analysis.

Consultation History

On March 7, 2025, NMFS received a letter from the FAA requesting formal consultation for the Chehalis-Centralia Airport Improvements.

On April 1, 2025, The Aviation Planning Group requested an update on the project consultation. On September 16, 2025, NMFS requested additional information regarding the expected duration



of the project. On September 22, 2025, The Aviation Planning Group provided the requested project details.

On September 24, 2025, NMFS initiated consultation for the project.

Updates to the regulations governing interagency consultation (50 CFR part 402) were effective on May 6, 2024 (89 FR 24268). We are applying the updated regulations to this consultation. The 2024 regulatory changes, like those from 2019, were intended to improve and clarify the consultation process, and, with one exception from 2024 (offsetting reasonable and prudent measures), were not intended to result in changes to the Services' existing practice in implementing section 7(a)(2) of the ESA (89 FR 24268; 84 FR 45015). We have considered the prior rules and affirm that the substantive analysis and conclusions articulated in this biological opinion and incidental take statement would not have been any different under the 2019 regulations or pre-2019 regulations.

Proposed Action

The FAA is proposing to conduct several development activities at the Chehalis-Centralia Airport (airport) located in Chehalis, Washington. The proposed action includes hangar and apron development on the southwest, west, northwest, and northeast sides of the airport, the creation of additional parking areas on the southeast side, placement of solar farms on the southeast and northwest sides and taxiway development on the west and east sides of the airport (Table 1). This proposed action would also introduce a net increase of 34.5 acres of pollution-generating impervious surface (PGIS). Equipment used for this proposed action includes scrapers, excavators, bulldozers, concrete trucks/pumps, forklifts, cranes and hand tools. The project is expected to occur between the months of May and October over the course of 5+ years (Table 2). Project elements scheduled for the first five years are more definitive than elements planned for later dates (R. Dowlin, personal communication, September 22, 2025). No in-water work is expected during the project. Section 3 of the project BA describes the proposed action in more detail and is adopted here.

Table 1. Summary of proposed airport development areas.

Airport Area	Proposed Development	Development Area	New Impervious Area	
	Types	(Acres)	(Acres)	
Southwest Area	Hangars, aircraft apron	11	7.34	
West Area	Hangars, aircraft apron	14	10.89	
West Taxiway	Taxiway	3.99	3.99	
Northwest Area	Hangars, aircraft apron,	10	5.19	
	solar farms			
Northeast Area	Hangars, aircraft apron	12.3	14.84	
Southeast Area	Parking area, solar	10.8	3.58	
	farms			
East Taxiway	Taxiway	1.57	1.57	

 Table 2.
 Proposed yearly timeline for airport improvement project elements.

CIP Year	Project Name	Project Area
2025	Environmental Assessment	NE
2025	CHAISE Hydrogen Feasibility Study	NE
2026	Construct Charging Station	W
2026	West Solar	NW
2026	Southeast Solar	SE
2027	Construct Southwest Taxilane - Design and Construction	SW
2027	Observation Area Parking Expansion	SW
2028	Pavement Maintenance in West Hangars	W
2028	Construct Taxiway B and NE Apron - Design and Construction	NE
2028	Multipurpose Building - Building	SW
2028	Multipurpose Building - Parking Roadway	SW
2029	Design Runway Lighting	Runway
2030	Construct Runway Lighting	Runway
2030	SW Hangar Taxilane Expansion	SW
2031	NW Airport Road Pavement Maintenance	SW
2032	Taxiway A Phase I Including Electrical	NW
2033	Pavement Maintenance	Multiple
2033	NW Solar Development	NW
2034	AWOS Replacement	NW
2035	Phase II North Airport Airfield Development	NE
2036	Taxiway A Phase II	W
2037	West Hangar Redevelopment Phase I	W
2045	West Hangar Redevelopment Phase II	W
2046	West Hangar Redevelopment Phase III	W
2047	Fence	Multiple

BIOLOGICAL OPINION

We examined the status of each species that would be adversely affected by the proposed action to inform the description of the species' "reproduction, numbers, or distribution" as described in 50 CFR 402.02. We also examined the condition of critical habitat throughout the designated area and discuss the function of the physical or biological features essential to the conservation of the species that create the conservation value of that habitat.

The proposed action is likely to adversely affect the southern distinct population segment (sDPS) of eulachon. Section 5 of the BA describes the species and designated critical habitat found within the action area and is adopted here.

Additionally we supplement Section 5 of the BA with Table 2 below. Table 2 provides a summary of listing and recovery plan information, status summaries and limiting factors for the species affected by the proposed action. More information can be found in recovery plans and status reviews for these species, which are referenced in the tables. Acronyms appearing in the table include DPS (Distinct Population Segment), ESU (Evolutionarily Significant Unit), ICTRT (Interior Columbia Technical Recovery Team), MPG (Multiple Population Grouping), NWFSC (Northwest Fisheries Science Center), TRT (Technical Recovery Team), and VSP (Viable Salmonid Population).

Table 2. Listing classification and date, recovery plan reference, most recent status review, status summary and limiting factors for each species considered in this opinion.

Species	Listing Classification and Date	Recovery Plan Reference	Most Recent Status Review	Status Summary	Limiting Factors
sDPS of eulachon	Threatened 3/18/10	NMFS 2017	NMFS 2022	The Southern DPS of eulachon includes all naturally-spawned populations that occur in rivers south of the Nass River in British Columbia to the Mad River in California. Sub populations for this species include the Fraser River, Columbia River, British Columbia, and the Klamath River. In the early 1990s, there was an abrupt decline in the abundance of eulachon returning to the Columbia River. Despite a brief period of improved returns in 2001-2003, the returns and associated commercial landings eventually declined to the low levels observed in the mid-1990s. Although eulachon abundance in monitored rivers has generally improved, especially in the 2013-2015 return years, recent poor ocean conditions and the likelihood that these conditions will persist into the near future suggest that population declines may be widespread in the upcoming return years.	Changes in ocean conditions due to environmental variation, particularly in the southern portion of the species' range where ocean warming trends may be the most pronounced and may alter prey, spawning, and rearing success. Environmental variation changes to freshwater habitats Bycatch of eulachon in commercial fisheries Adverse effects related to dams and water diversions Water quality, Shoreline construction Over harvest Predation

Finally, we examined the likely effects on any listed species and critical habitats that your agency made "not likely to adversely affect" (NLAA) determinations for. Our conclusions regarding the effects of the action on the sDPS of green sturgeon and their critical habitat is presented below under the heading: NLAA Determinations.

Action Area

"Action area" means all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action (50 CFR 402.02). We incorporate by reference Section 4 of the BA for the description of the project action area. This includes the terrestrial area affected by in-air noise from construction and the aquatic area affected by stormwater discharge from the airport.



Figure 1. Satellite image of the proposed project action area.

Environmental Baseline

The "environmental baseline" refers to the condition of the listed species or its designated critical habitat in the action area, without the consequences to the listed species or designated critical habitat caused by the proposed action. The environmental baseline includes the past and present impacts of all federal, state, or private actions and other human activities in the action area, the anticipated impacts of all proposed federal projects in the action area that have already undergone formal or early section 7 consultations, and the impact of State or private actions which are contemporaneous with the consultation in process. The impacts to listed species or designated critical habitat from federal agency activities or existing federal agency facilities that are not within the agency's discretion to modify are part of the environmental baseline (50 CFR 402.02). Section 4 of the BA also includes a detailed description of the environmental baseline and is adopted here.

Effects of the Action

Under the ESA, "effects of the action" are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action.

The BA provides a detailed discussion and comprehensive assessment of the effects of the proposed action in Section 6 and is adopted here (50 CFR 402.14(h)(3)). NMFS has evaluated this section and, after our independent, science-based evaluation, we have determined it meets our regulatory and scientific standards.

A summary of the specific effects are as follows:

- Short-term impacts on water quality due to construction activities.
- Long-term effects associated with stormwater discharges from the airport into the Chehalis River.

Cumulative Effects

"Cumulative effects" are those effects of future state or private activities, not involving federal activities, that are reasonably certain to occur within the action area of the federal action subject to consultation (50 CFR 402.02). Future federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the ESA. We incorporate by reference Section 7 of the project BA for the cumulative effects analysis.

Integration and Synthesis

The Integration and Synthesis section is the final step in our assessment of the risk posed to species and critical habitat as a result of implementing the proposed action. In this section, we add the effects of the action to the environmental baseline and the cumulative effects, taking into account the status of the species and critical habitat, to formulate the agency's biological opinion as to whether the proposed action is likely to: (1) Reduce appreciably the likelihood of both the survival and recovery of a listed species in the wild by reducing its numbers, reproduction, or distribution; or (2) appreciably diminish the value of designated or proposed critical habitat as a whole for the conservation of the species.

The sDPS of eulachon is threatened under the ESA. This species is listed under the ESA because of reductions in abundance from historic levels, low productivity and reductions in diversity and/or spatial structure. These conditions are due in part to systematic degraded habitat in the environmental baseline where multiple anthropogenic changes have occurred. Conservation measures would be implemented during construction activities to minimize temporary and long-term effects.

Environmental variation and human development have and will continue to adversely impact critical habitat creating limiting factors and threats to the recovery of ESA-listed species within the action area. Environmental variation will likely result in a generally negative effect on stream flow and temperature. The environmental baseline for the Chehalis River and Grays Harbor have

been impacted by anthropogenic activities including population growth and changes to surface water hydrology. The environmental baseline is not optimal for ESA-listed species. Non-federal actions to mitigate environmental variation may have localized benefits that extend to species and critical habitat within the Chehalis River and Grays Harbor basins. When these influences are considered, we expect trends in habitat quality to remain stable or degrade gradually over time. This will further stress population abundance and productivity of the species affected by the proposed action.

After reviewing and analyzing the current status of the listed species and critical habitat, the environmental baseline within the action area, the effects of the proposed action, the effects of other activities caused by the proposed action, and cumulative effects, it is NMFS' biological opinion that the proposed action is not likely to jeopardize the continued existence of the sDPS of eulachon.

INCIDENTAL TAKE STATEMENT

Section 9 of the ESA and federal regulations pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without a special exemption. "Take" is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. "Harm" is further defined by regulation to include significant habitat modification or degradation that actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding, or sheltering (50 CFR 222.102). "Harass" is further defined by guidance as to "create the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering." "Incidental take" is defined by regulation as takings that result from, but are not the purpose of, carrying out an otherwise lawful activity conducted by the federal agency or applicant (50 CFR 402.02). Section 7(b)(4) and section 7(o)(2) provide that taking that is incidental to an otherwise lawful agency action is not considered to be prohibited taking under the ESA if that action is performed in compliance with the terms and conditions of this ITS.

Amount or Extent of Take

In the biological opinion, NMFS determined that incidental take is reasonably certain to occur as follows:

• Take in the form of harm or injury from stormwater discharge to eulachon¹.

We cannot predict with meaningful accuracy the number of ESA-listed species that are reasonably certain to be injured or killed annually by exposure to these stressors. The distribution and abundance of the fishes that occur within the action area can be affected by habitat quality, competition and predation. They can also be affected by the interaction of processes that influence genetic, population and environmental characteristics. These biotic and environmental

¹ The NMFS has not yet promulgated an ESA section 4(d) rule prohibiting take of threatened eulachon. Anticipating that such a rule may be issued in the future, we have included a prospective incidental take exemption for eulachon. The elements of this ITS for eulachon would become effective on the date on which any future 4(d) rule prohibiting take of eulachon becomes effective. Nevertheless, the amount and extent of eulachon incidental take, as specified in this statement, will serve as one of the criteria for reinitiation of consultation pursuant to 50 C.F.R. § 402.16(a), if exceeded.

processes interact in ways that may be random or directional and may operate across broader temporal and spatial scales than are affected by the proposed actions. Additionally, NMFS is not aware of any device or practicable technique that would yield reliable counts of individuals that may experience these impacts. In such circumstances, we use the causal link established between the activity and the likely extent and duration of changes in habitat conditions to describe the extent of take as a numerical level of habitat disturbance. The most appropriate surrogates for take are parameters related to the proposed actions that are directly related to the magnitude of the expected take.

<u>Stormwater discharge</u>: Increasing the area of PGIS at the airport is likely to increase the volume of stormwater discharge. An appropriate surrogate to determine the extent of take in this case is the total net increase of PGIS at the airport. If the net increase of PGIS exceeds 34.5 acres, the take limit would be exceeded. The total surface area of PGIS at the airport is correlated with the volume of stormwater produced. This surrogate serves as an effective reinitiation trigger because the total PGIS can be measured and monitored on a continuous basis.

Effect of the Take

In the biological opinion, NMFS determined that the amount or extent of anticipated take, coupled with other effects of the proposed action, is not likely to result in jeopardy to the species or destruction or adverse modification of critical habitat.

Reasonable and Prudent Measures

"Reasonable and prudent measures" refer to those actions the Director considers necessary or appropriate to minimize the impact of the incidental take on the species (50 CFR 402.02).

- 1. Minimize take from stormwater discharge.
- 2. Implement a monitoring plan to confirm that incidental take from the proposed action is not exceeded.

Terms and Conditions

In order to be exempt from the prohibitions of section 9 of the ESA, the federal action agency must comply (or must ensure that any applicant complies) with the following terms and conditions. The FAA or any applicant has a continuing duty to monitor the impacts of incidental take and must report the progress of the action and its impact on the species as specified in this ITS (50 CFR 402.14). If the entity to whom a term and condition is directed does not comply with the following terms and conditions, protective coverage for the proposed action would likely lapse.

- 1. The following terms and conditions implement reasonable and prudent measure 1:
 - a. Ensure that the total net increase in PGIS does not exceed 34.5 acres.
 - b. Ensure all stormwater treatment and collection systems at the airport remain operational and effective in treating stormwater runoff associated with the airport.
- 2. The following terms and conditions implement reasonable and prudent measure 2:
 - a. The FAA should ensure all monitoring items are reported and include the following:
 - i. A project completion report within 60-days of completing construction, including:
 - 1. Project name.

- 2. FAA contact person.
- 3. The Aviation Planning Group contact person.
- 4. Construction completion date.
- ii. Three annual reports on stormwater facility operation and maintenance for three full years following construction, including the following information:
 - 1. Stormwater facility monitoring logs with:
 - a. The name of the employee or contractor responsible for all inspections.
 - b. The date of each inspection, and any additional inspection made within 48-hours of storm events with greater than or equal to 1 inch of rain during a 24-hour period.
 - c. A description of any structural repairs or facility cleanout activities, such as sediment and oil removal and disposal, vegetation management, erosion control, ponded water maintenance, pest control, and trash or debris removal.
 - d. An estimate of the percentage of healthy vegetation cover at stormwater control elements that rely on vegetation to achieve treatment or flow control functions. For stormwater control elements where coverage falls below 80 percent, a description of the corrective actions taken to bring vegetation cover up to the required level.
- b. Please submit monitoring documents to <u>projectreports.wcr@noaa.gov</u> and include the NMFS tracking number (WCRO-2024-03457) in the subject line when the reports are submitted.

Conservation Recommendations

Section 7(a)(1) of the ESA directs federal agencies to use their authorities to further the purposes of the ESA by carrying out conservation programs for the benefit of the threatened and endangered species. Specifically, conservation recommendations are suggestions regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat or regarding the development of information (50 CFR 402.02).

The following conservation recommendation is a discretionary measure that NMFS believes is consistent with this obligation and therefore should be carried out:

• The FAA should encourage the applicant to adopt improved stormwater treatment technologies as they become available.

Reinitiation of Consultation

Under 50 CFR 402.16(a): "Reinitiation of consultation is required and shall be requested by the federal agency where discretionary federal involvement or control over the action has been retained or is authorized by law and: (1) If the amount or extent of taking specified in the incidental take statement is exceeded; (2) If new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (3) If the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the biological opinion or written

concurrence; or (4) If a new species is listed or critical habitat designated that may be affected by the identified action."

NLAA Determinations

We reviewed the FAA's consultation request document and related materials. Based on our knowledge, expertise, and your action agency's materials, we concur with the action agency's conclusions that the proposed action is not likely to adversely affect the following NMFS ESA-listed species and designated critical habitat:

• sDPS of green sturgeon and their designated critical habitat.

The rational for this determination is provided in Section 6 of the project BA and is adopted here.

ESSENTIAL FISH HABITAT RESPONSE

Thank you also for your request for essential fish habitat (EFH) consultation. NMFS reviewed the proposed action for potential effects on EFH pursuant to section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), implementing regulations at 50 CFR 600.920, and agency guidance for use of the ESA consultation process to complete EFH consultation. We have concluded that the action would adversely affect EFH designated under the Pacific Coast Salmon, Pacific Coast Groundfish, and Coastal Pelagic Species Fishery Management Plans (FMP) (PFMC, 2024a, 2024b, 2024c). EFH conservation recommendations are provided below.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Section 305(b) of the MSA directs federal agencies to consult with NMFS on all actions or proposed actions that may adversely affect EFH. Under the MSA, this consultation is intended to promote the conservation of EFH as necessary to support sustainable fisheries and the managed species' contribution to a healthy ecosystem. For the purposes of the MSA, EFH means "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity", and includes the associated physical, chemical, and biological properties that are used by fish (50 CFR 600.10). Adverse effect means any impact that reduces quality or quantity of EFH, and may include direct or indirect physical, chemical, or biological alteration of the waters or substrate and loss of (or injury to) benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality or quantity of EFH. Adverse effects may result from actions occurring within EFH or outside of it and may include direct, indirect, sitespecific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions (50 CFR 600.810). Section 305(b) of the MSA also requires NMFS to recommend measures that can be taken by the action agency to conserve EFH. Such recommendations may include measures to avoid, minimize, mitigate, or otherwise offset the adverse effects of the action on EFH (50 CFR 600.905(b)).

EFH Affected by the Proposed Action

The proposed project occurs within EFH for various federally managed fish species within the Pacific Coast Salmon, Pacific Coast Groundfish, and Coastal Pelagic Species FMPs (PFMC, 2024a, 2024b, 2024c).

In addition, the project action area includes the Grays Harbor estuary which is designated as a habitat area of particular concern (HAPC) for various federally managed fish species within the Pacific Coast Salmon FMP and Pacific Coast Groundfish FMP. HAPCs are described in the regulations as subsets of EFH which are rare, particularly susceptible to human-induced degradation, especially ecologically important, or located in an environmentally stressed area. Designated HAPC are not afforded any additional regulatory protection under the MSA; however, federal projects with potential adverse impacts on HAPC will be more carefully scrutinized during the consultation process.

Adverse Effects on EFH

NMFS determined the proposed action would adversely affect EFH as follows:

- Short-term impacts on water quality due to construction activities.
- Long-term water quality impacts from stormwater discharges into the Chehalis River.

EFH Conservation Recommendations

NMFS determined that the following conservation recommendations are necessary to avoid, minimize, mitigate, or otherwise offset the adverse effects of the proposed action on EFH.

- Ensure all conservation measures and best management practices discussed in the project BA are applied to minimize construction and stormwater effects.
- Ensure stormwater discharges remain in compliance with current and future permit requirements.

Statutory Response Requirement

As required by section 305(b)(4)(B) of the MSA, the FAA must provide a detailed response in writing to NMFS within 30 days after receiving an EFH conservation recommendation. Such a response must be provided at least 10 days prior to final approval of the action if the response is inconsistent with any of NMFS' EFH conservation recommendations unless NMFS and the federal agency have agreed to use alternative time frames for the federal agency response. The response must include a description of the measures proposed by the agency for avoiding, minimizing, mitigating, or otherwise offsetting the impact of the activity on EFH. In the case of a response that is inconsistent with the conservation recommendations, the federal agency must explain its reasons for not following the recommendations, including the scientific justification for any disagreements with NMFS over the anticipated effects of the action and the measures needed to avoid, minimize, mitigate, or offset such effects (50 CFR 600.920(k)(1)).

Supplemental Consultation

The FAA must reinitiate EFH consultation with NMFS if the proposed action is substantially revised in a way that may adversely affect EFH, or if new information becomes available that affects the basis for NMFS' EFH conservation recommendations (50 CFR 600. 920(1)).

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The biological opinion will be available through NOAA Institutional Repository https://repository.library.noaa.gov/. A complete record of this consultation is on file at the Oregon Washington Coastal Office in Lacey, Washington.

Please direct questions regarding this letter to Jayvoni Francis in the South Washington Branch of the Oregon Washington Coastal Office at jayvoni.francis@noaa.gov if you have any questions concerning this consultation, or if you require additional information.

Sincerely,

Kathleen Wells

Assistant Regional Administrator Oregon-Washington Coastal Office

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cc: Laura Sample, FAA

REFERENCES

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