



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

March 6, 2006

Mr. Donald K. Hansen, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

Dear Mr. Hansen,

The Pacific Coast Salmon Fishery Management Plan (Salmon FMP) requires that the Pacific Fishery Management Council (Council) manage their fisheries consistent with consultation standards developed by the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) regarding actions necessary to protect species listed under the Endangered Species Act (ESA). This letter summarizes NOAA Fisheries' consultation standards and provides guidance regarding the effects of the 2006 season on listed species. Because of the circumstances in 2006, this letter provides also comments on the status of the unlisted Klamath River fall Chinook and the related effects on fisheries.

CHINOOK SALMON

Klamath River Fall Chinook

The conservation objective for Klamath River fall Chinook (KRFC) requires a return of 33-34% of potential adult natural spawners, but no fewer than 35,000 naturally spawning adults, be achieved in any one year. The preseason forecast for KRFC for 2006 is close to a record low. Preseason Report I indicates that, if the ocean fishery is closed from January through August 2006 between Cape Falcon, Oregon and Pt. Sur, California (near Monterey) and the Klamath River fishery (tribal and recreational) is closed immediately and remained closed in 2006, the expected number of natural area adult spawners would be 29,200. Under the Salmon FMP, a "conservation alert" is triggered when a stock is projected to fall below its conservation objective. Under such circumstances the Council is required to close salmon fisheries within Council jurisdiction that impact the stock. KRFC are caught in commercial and recreational fisheries from Cape Falcon to Pt. Sur. The closed area would therefore include most of the Oregon coast and the northern half of California. Given the circumstances, any fishing in the closed area that may be proposed would have to be approved by emergency rule to modify the Salmon FMP.

Klamath River fall Chinook are also caught in freshwater recreational fisheries and tribal fisheries that are outside the Council's jurisdiction. Council fisheries are managed to achieve

¹ The tails of the distribution of KRFC extend coast wide, but analysis of the coded wire tag data indicate that 99.1% of recoveries of Klamath River hatchery stocks occur between Cape Falcon and Pt Sur with 0.1% occurring south of Pt Sur and 0.8% occurring north of Cape Falcon.



50:50 tribal:non-tribal sharing of adult harvest with a portion of the non-tribal share taken by recreational fishing inriver. Late season ocean fisheries (September-November) catch immature KRFC, some of which would spawn in the following year. The result is that fish caught in the late season of 2005 contributed to the reduced escapement that will occur in 2006. Preseason Report I indicates that approximately 6,100 KRFC were caught late in 2005. Despite the fact that the forecast now available tells us that the run size is such that the escapement floor will not be met in 2006, some ocean catch has already occurred, and there will likely be expectations for additional harvest in freshwater fisheries.

The escapement of KRFC also fell below the 35,000 spawner escapement floor in 2004 and 2005. The FMP provides that an "overfishing concern" is triggered if postseason estimates indicate that a natural stock has failed to achieve its conservation objective in three consecutive years. The Council uses the overfishing concern to address the requirements of the MSA with respect to overfishing. If KRFC fail to meet the 35,000 fish escapement floor in 2006, as indicated by postseason estimates that will become available after the conclusion of the fall fisheries, an overfishing concern would be triggered, and the Council would be required to complete a formal review within one year and develop an associated rebuilding plan.

The status of KRFC is depressed relative to the conservation objectives defined in the Salmon FMP. Under the circumstances, the Plan requires closure of all salmon fisheries in the area from Cape Falcon to Pt. Sur through at least August 31, 2006. It is likely that the Council will receive proposals to provide some limited fishing opportunity. Fishing in the EEZ in excess of the provisions of the approved FMP would require adoption of an emergency rule. In its consideration of proposals for fisheries, the Council might develop information that is not apparent at this time. However, based on what is currently known, and given the clear provisions of the FMP, NOAA Fisheries concludes that it will be difficult to justify approval of an emergency rule to allow additional fishing in 2006.

Current regulations for the 2005-2006 season include openings for commercial and recreational fisheries off the Oregon and California coast that would begin March 15. These fisheries will add to the catch of KRFC that has already occurred and further reduce the escapement. There is already a place on the Council's agenda for consideration of the March openings. Any additional information that may become available related to the March openings will be considered at that time, but NOAA Fisheries currently expects that it will be necessary to close those fisheries by inseason action to comply with the FMP.

In addition, NOAA Fisheries will recommend to the California Fish and Game Commission that the recreational fishery in the Klamath River be closed in 2006. Council fisheries are managed to achieve 50:50 tribal:non-tribal sharing of the adult harvest of KRFC. Because non-tribal ocean fishery catches have already occurred, tribal fisheries, which occur later in the year, would be expected. NOAA Fisheries will work with the tribes to try to find an appropriate course of action to address the tribes' unique circumstance and the conservation concerns for KRFC.

During the preseason process, the Council will also be considering late season fisheries that would occur after August 31, 2006. NOAA Fisheries concludes that it would be imprudent to consider significant late season fisheries for 2006 at this time. Any late season fisheries that may be proposed should be scheduled to open after the September 2006 Council meeting and with the understanding that they would be reviewed and possibly closed by inseason action at that time.

NOAA Fisheries acknowledges and understands the significant consequences these fishery closures will have on fishermen and their families, the businesses that rely on them, and the communities in which they live. Given the circumstances, NOAA Fisheries has begun the process of gathering data and analyzing appropriate next steps to mitigate impacts on the industry.

California Coastal Chinook Salmon

California Coastal (CC) Chinook salmon is listed under the ESA. The 2000 biological opinion on CC Chinook identified KRFC as the best available surrogate for estimating and limiting ocean harvest impacts on CC Chinook populations. That biological opinion required that the projected age-4 ocean harvest rate for KRFC not exceed 17.0%. In 2002, the Salmon Technical Team adopted new procedures for calculating the age-4 harvest rate on KRFC. Consistent with the revised definition of age-4 harvest rate, management measures developed under the Salmon FMP must achieve a *projected* age-4 ocean harvest rate on KRFC no greater than 16%.

In 2003 and 2004 the projected age-4 ocean harvest rates on KRFC were 16% and 15%, respectively. However, the postseason estimates, derived from cohort reconstructions, were 23% and 51%, respectively. As a result of the harvest rates observed in the 2003 and 2004 seasons, NOAA Fisheries reinitiated consultation prior to the 2005 seasons to consider whether modifications to the RPA of the 2000 opinion were necessary (McInnis 2005). The consultation, which is ongoing, clarified that under the terms of the 2000 biological opinion, NOAA Fisheries expects postseason estimates of the KRFC harvest rate to deviate both above and below preseason projections since the Klamath Ocean Harvest Model (KOHM) is designed to be an unbiased model. However, the magnitude of the deviations in 2003 and especially 2004, were of great concern, both with respect to the management of KRFC harvest and spawning escapement, as well as ensuring protection of ESA-listed CC Chinook.

NOAA Fisheries identified two possible explanations for the under-prediction of the 2004 KRFC harvest rate: 1) chronic changes in the distribution and/or vulnerability of KRFC, or 2) an unusual event consistent with the inter-annual variability of these estimates. The determination of which of the two may be the predominant factor in under-prediction of the harvest rate requires additional years of data.

The consultation reinitiated in 2005 did not result in a change of the 2005 preseason maximum allowable harvest rate of 16% established to protect CC Chinook. Because the harvest rate in 2005 again exceeded 16% by a substantial amount, there is continued concern about its under-prediction by the KOHM. NOAA Fisheries anticipates that the STT will make a modified model available for analysis of 2006 seasons which may weigh catch and effort data from the last three

years more heavily. The intent of any such model modifications would be to improve the accuracy of the KOHM with respect to harvest rate prediction; it would not be to introduce bias within the KOHM for the purpose of providing some greater probability that target harvest rates are not exceeded. Such a modification was developed for analysis of the proposed 2005 season options. The Council's recommended seasons yielded an age-4 harvest rate of 7.7% under the unmodified KOHM and 13% under the modified (3-year base) model. The preliminary postseason estimate of the harvest rate in 2005 is 24%, nearly twice the rate predicted by the modified model and three times the rate of the unmodified model.

The Council may decide to recommend the suspension of the KRFC spawning escapement goal through the use of an emergency rule in order to allow some additional limited harvest of KRFC. In evaluating such a recommendation, NOAA Fisheries will consider the risks to the long term productivity of the KRFC resource, while ensuring that management measures comply with NOAA Fisheries' ESA consultation standard for CC Chinook. Even if an emergency rule were approved, the combination of 1) the harvest which has already occurred since September 1, 2005, 2) the anticipated modifications in the KOHM, and 3) the ESA limit of a preseason projected 16% harvest rate, will leave little, if any, additional harvest available under an emergency rule. Preliminary analysis of coded wire tag recoveries from fisheries which occurred after August 31, 2005, indicate an age-4 harvest rate of 6.7%. It should be emphasized that this is a preliminary estimate based on incomplete cohort data and the forecast ocean abundance and is expected to change when the cohort is completed and the postseason estimate of abundance becomes available. For example, the preliminary estimate of the 2004 fall fisheries was 3.2% while the postseason estimate increased to 8.7%. In addition, any harvest occurring in 2006, either prior to May 1, or under an emergency rule after May 1, would be evaluated with a modified KOHM, which could generate substantially higher estimates of harvest rate than the KOHM versions used in prior seasons.

As discussed above, absent an approved emergency rule, the area from Falcon to Pt. Sur will be closed to salmon fishing because of conservation concerns for KRFC. However, in the event that new and compelling information is developed during the course of the 2006 preseason process, which supports implementation of an emergency rule and additional harvest, NOAA Fisheries, for the purpose of providing adequate protection for CC Chinook, will consider reducing the 16% age-4 KRFC harvest rate limit for the 2006 seasons. The rate associated with the 2006 harvest will be estimated using a KOHM which the STT believes most accurately predicts harvest rate for the 2006 season.

Sacramento River Winter Chinook Salmon

In 2004, NOAA Fisheries Service issued a biological assessment and biological opinion, in which it proposed to promulgate fishery management measures for the ocean salmon fisheries off Washington, Oregon and California commencing annually on May 1, 2004 and ending April 30, 2010, which include the following conservation objectives for Sacramento River Winter Chinook:

Recreational Seasons South of Point Arena, CA: The recreational season between Point Arena and Pigeon Point shall open no earlier than the first Saturday in April and close no later than the second Sunday in November; the recreational season between Pigeon Point and the U.S.-Mexico Border shall open no earlier than the first Saturday in April and close no later than the first Sunday in October. The minimum size limit shall be at least 20 inches total length.

Commercial Seasons South of Point Arena, CA: Commercial seasons between Point Arena and the U.S.-Mexico border shall open no earlier than May 1 and close no later than September 30, with the exception of an October season conducted Monday through Friday between Point Reyes and Point San Pedro, which shall end no later than October 15. The minimum size limit shall be at least 26 inches total length.

These measures, which NOAA Fisheries believes will avoid jeopardizing the continued existence of winter Chinook, are in addition to measures specified by the FMP or required by NOAA Fisheries' biological opinions for other listed salmon stocks. Since 1998, the California Department of Fish and Game and the Council have recommended certain terminal gear restrictions, including the use of circle hooks while mooching in the recreational fishery between Horse Mountain and Point Conception, CA, which are designed to reduce hook and release mortality. Those restrictions should continue.

Central Valley Spring Chinook Salmon

The Central Valley spring Chinook Evolutionarily Significant Unit (ESU) was first listed as threatened in 1999. NOAA Fisheries Service's April 18, 2000, biological opinion on the effects of ocean harvest on Central Valley spring Chinook and California Coastal Chinook, concluded that ocean salmon fisheries, as regulated under the Salmon FMP and NOAA Fisheries Service consultation standards for Sacramento River winter-run Chinook, were not likely to jeopardize the continued existence of Central Valley spring Chinook. Since completing the consultation, the abundance of Central Valley spring Chinook has increased significantly. The combined spawning escapements of spring Chinook to Deer, Mill, and Butte creeks averaged about 7,800 from 1996-2000 and 19,500 from 2001-2005. Based on these observations and other evidence of rebuilding, NOAA Fisheries concludes that no further actions are required to supplement those specified in the 2000 biological opinion.

Lower Columbia River Chinook Salmon

The Lower Columbia River (LCR) Chinook ESU is comprised of a spring component, a far north-migrating bright component, and a component of north-migrating tules. The three remaining spring stocks within the ESU include those on the Cowlitz, Kalama, and Lewis rivers. The historic habitat for these spring Chinook stocks is now largely inaccessible due to impassable dams. Although some spring Chinook spawn naturally in each of these rivers, they are presumed to be largely hatchery-origin fish with little resulting natural production. The remaining spring stocks are therefore dependent, for the time being, on the associated hatchery

production programs. The Lower Columbia Salmon Recovery Plan² specifies actions to be taken to facilitate recovery of spring Chinook populations. The Cowlitz and Lewis hatcheries will be used, for example, for reintroduction into upper basin areas above existing dams. Maintaining the hatchery brood stock is therefore essential for implementation of specified recovery actions. The hatcheries have met their escapement objectives in recent years, and are expected to do so again in 2006, thus ensuring that what remains of the genetic legacy is preserved and can be used to advance recovery. NOAA Fisheries expects that the management agencies will continue to manage inriver fisheries to meet hatchery escapement goals, but no additional management constraints in Council fisheries are considered necessary.

Three natural-origin bright populations have been identified in the LCR Chinook ESU. The North Lewis River stock is used as a harvest indicator for ocean and in-river fisheries. The escapement goal used for management purposes for the North Lewis River population is 5,700, based on estimates of maximum sustained yield. Actual escapements have exceeded the goal in every year but one since 1980. Escapements over the last five years have averaged 12,500, and thus continue to be well above the escapement goal. Given the long history of healthy returns, NOAA Fisheries Service does not anticipate the need to take specific management actions in the ocean to protect the bright component of the LCR Chinook ESU in 2006. NOAA Fisheries does expect that the states of Washington and Oregon will continue to take appropriate actions through their usual authorities, to ensure that the escapement goal continues to be met.

Unlike the spring populations or the bright component of the ESU, LCR tule populations are caught in large numbers in Council fisheries. There are three naturally producing populations of tule Chinook in the lower Columbia River (Coweeman, East Fork Lewis, and Sandy) that are not substantially influenced by hatchery strays. Apart from these populations, the system is dominated by hatchery production and whatever natural spawning does occur is heavily influenced by hatchery strays. The Lower Columbia Salmon Recovery Plan specifies actions to be taken to address the adverse consequences of hatchery production on the LCR ESU.

For the last several years the Coweeman population has been used as an indicator stock for managing the tule component of the LCR Chinook ESU. Consistent with our guidance from recent years, NOAA Fisheries expects that the 2006 Council fisheries to be managed such that the total exploitation rate on Coweeman fall Chinook from all fisheries does not exceed 49%. Preseason estimates of the exploitation rate have consistently complied with the 49% standard. However, information suggests that the actual exploitation rates on Coweeman fall Chinook have been substantially higher in recent years. The Northwest Fisheries Science Center recently completed a review that assessed compliance of Council fisheries with ESA related consultation standards (Kope 2005). (A copy of that report was forwarded to the Council by letter on

²This plan was developed by Washington's Lower Columbia Fish Recovery Board. In February 2006, NMFS approved the plan as an Interim Regional Recovery Plan. Such a plan is intended to lead to an ESA recovery plan but is not yet complete, in this case because it addresses only a portion of the Lower Columbia River ESUs. NMFS endorses use of the plan until a final plan covering the full ESUs is complete. Work is underway to complete a plan for the remaining portions of the Lower Columbia ESUs and a final ESA plan is expected in early 2007. For additional information, see <http://www.nwr.noaa.gov/Salmon-Recovery-Planning/Recovery-Domains/Willamette-Lower-Columbia/Interim-Recovery.cfm>

December 21, 2005.) Results from the report indicate that Council fisheries have complied with most of the stock-specific standards. However, the report indicates, based on a postseason review, that the exploitation rates for the most recently available brood years (1998-2000) ranged from 53%-68% and averaged 60%.

We are aware that managers from the state agencies and Salmon Technical Team have been reviewing the analysis. From that review we expect to confirm or modify the results of the analysis as appropriate, and learn more about why postseason estimates of exploitation rates have been higher than preseason projections. NOAA Fisheries' objective is to insure that we are using the best available information for managing the fisheries to meet specified conservation objectives in 2006. We will therefore rely on the Salmon Technical Team to report back regarding their review of the Science Center report, and make recommendations for actions necessary to address their findings.

NOAA Fisheries has relied on the 49% standard since 2002. The Lower Columbia Salmon Recovery Plan recommends that the standard be reviewed, and we concur that after five years a review is warranted. The Recovery Plan specifies that the review should include consideration of the exploitation rate standard and associated affects on other LCR tule populations. The Plan also calls for consideration of alternative management strategies including one based on indicators of annual abundance and productivity. NOAA Fisheries intends to work with the interested management entities and undertake such a review prior to 2007 fisheries.

Upper Columbia River Spring Chinook Salmon
Upper Willamette River Chinook Salmon
Snake River Spring/Summer Chinook Salmon

Spring stocks from the Upper Columbia River and Upper Willamette River Basins and spring/summer stocks from the Snake River are rarely caught in Council fisheries. Management actions designed to limit catch from these ESUs beyond what will be provided by harvest constraints for other stocks are therefore not considered necessary.

Snake River Fall Chinook Salmon

NOAA Fisheries Service' guidance with respect to Snake River fall Chinook is unchanged from that of the last several years. NOAA Fisheries Service requires that the Southeast Alaskan, Canadian, and Council fisheries, in combination, achieve a 30.0% reduction in the total age-3 and age-4 adult equivalent exploitation rate relative to the 1988-1993 base period. The Council fisheries therefore must be managed to ensure that the 30.0% base period reduction criterion for the aggregate of all ocean fisheries is achieved.

Puget Sound Chinook Salmon

In March, 2005, NOAA Fisheries Service approved fishing activities conducted in accordance with the harvest component of the Comprehensive Management Plan for Puget Sound Chinook, a Resource Management Plan (RMP) submitted by the Washington Department of Fish and

Wildlife and the Puget Sound Treaty tribes under Limit 6 of the ESA 4(d) rule. The terms of the RMP have also been incorporated into the Draft Puget Sound Salmon Recovery Plan currently out for public review and comment. The take limit for fisheries implemented under the terms of the RMP apply to the 2005-2009 fishing years (May 1, 2005 through April 30, 2010). The RMP management approach consists of a two tiered harvest regime (normal and minimum), depending on stock status. The harvest objectives in the RMP are a mixture of total and southern U.S. exploitation rates (termed in the RMP - Rebuilding Exploitation Rates³ or RERs) and escapement goals. Under conditions of normal abundance, the RERs and escapement goals, listed on the left of Table 1, apply. However, when a particular management unit is 1) not expected to meet its low abundance threshold, or, 2) if the total exploitation rate is projected to exceed its RER under a proposed set of fisheries, the co-managers will constrain their fisheries such that either the RER is not exceeded, or the Critical Exploitation Rate Ceiling (CERC)⁴, listed on the right of Table 1, is not exceeded.

Procedurally, the Council forum and associated North of Falcon process provide the appropriate forums for doing the necessary management planning. Under the current management structure, Council fisheries are included as part of the suite of fisheries that comprise the fishing regime negotiated each year by the co-managers under U.S. v. Washington to meet management objectives for Puget Sound and Washington Coastal salmon stocks. The comprehensive nature of the management objectives and the management planning structure strongly connect Council and Puget Sound fisheries. Therefore, in adopting its regulations, the Council must determine that its fisheries, when combined with the suite of other fisheries impacting this ESU, meet the management targets set for stocks within this ESU.

Having established the connection between Council and Puget Sound fisheries, it is also appropriate to acknowledge that impacts on Puget Sound Chinook stocks in Council fisheries are generally quite low. Exploitation rates on Puget Sound spring Chinook and fall Chinook stock aggregates have been less than one percent and four percent on average, respectively, in recent years. Management actions taken to meet exploitation rate targets will therefore occur primarily in the Puget Sound fisheries, but since impacts in all fisheries must be considered, ocean fisheries are potentially subject to constraint to ensure impacts are consistent with the limits defined by the RMP.

NOAA Fisheries Service recognizes that there is also a sequence to the planning process for Puget Sound Chinook: the March Council meeting, the North of Falcon process, and the subsequent April Council meeting where final recommendations for oceans seasons are made.

³ These are not to be confused with the Rebuilding Exploitation Rates used by NOAA Fisheries Service to assess proposed harvest actions under the ESA since they are derived by different methodologies and used for different purposes. The RERs in Table 1 are those developed by the co-managers in the RMP approved by NOAA Fisheries Service and therefore fisheries conducted consistent with these RERs are not subject to an ESA prohibition on take of listed Puget Sound Chinook.

⁴ The ceiling rate used by the co-managers may be below the CERC shown on the right side of Table 1 if the 2003 fisheries modeled with 2005 abundances results in rates less than the CERC.

Management Unit/Population	Normal Abundance Regime			Minimum Fishing Regime		
	Rebuilding Exploitation Rate		Escapement Goal ¹	Low Abundance Threshold	Critical Exploitation Rate	
	Total	Southern US (PT=Preterminal)			So. US	Preterminal So. US
Nooksack spring NF Nooksack SF Nooksack	Minimum fishing regime applies			1,000 ³ 1,000 ³	7.0%/9.0% ²	
Skagit Summer/Fall Upper Skagit Lower Skagit Lower Sauk	50.0%			4,800 2,200 900 400	15.0%	
Skagit Spring Suiattle Upper Sauk Cascade	38.0%			576 170 130 170	18.0%	
Stillaguamish NF Stillaguamish SF Stillaguamish	25.0%			650 ³ 500 ³	15.0%	
Snohomish Skykomish Snoqualmie	21.0%			2,800 1,745 521	15.0%	
Lake Washington ⁴		15.0% PT		200 ³		12.0%
Green		15.0% PT	5,800	1,800		12.0%
White River	20.0%			200	15.0%	
Puyallup ⁵	50.0%			500		12.0%
Nisqually			1,100	1,100		
Skokomish		15.0% PT	1,200 natural ⁶ 1,000 hatchery	800 natural ⁷ 500 hatchery		12.0%
Mid-Hood Canal		15.0% PT		400		12.0%
Dungeness		10.0%		500	6.0%	
Elwha		10.0%		1,000	6.0%	

¹ When escapement is expected to be less than the goal, the co-managers will take additional management measures with the objective of meeting or exceeding the goal.

² Expected Southern US rate will not exceed 7.0% in 4 out of 5 years and 9.0% in 1 out of 5 years.

³ Threshold expressed as natural-origin spawners.

⁴ Cedar River.

⁵ South Prairie Creek Index.

⁶ The aggregate escapement goal is 3,650 hatchery and natural spawners. However, anticipated hatchery or natural escapements below these spawner abundances trigger specific additional management actions.

⁷ The aggregate low abundance threshold is 1,300 hatchery and natural spawners. However, anticipated hatchery or natural escapements below these spawner abundances trigger specific additional management actions.

Therefore, the final option adopted at the April Council meeting must, when combined with Puget Sound fisheries negotiated during the North of Falcon process, meet the escapement goals and exploitation rates for each Puget Sound Chinook management unit included in Table 1, after applying the appropriate regime to the status of each management unit anticipated in 2006.

COHO SALMON

Oregon Coast Coho Salmon

On January 11, 2006 NOAA Fisheries determined that ESA listing of Oregon Coast (OC) coho is not warranted (71 FR 3033 January 19, 2006). It is therefore no longer necessary to provide ESA-related guidance to the Council regarding the management of OC coho. Nevertheless, NOAA Fisheries expects that the Council will continue to manage Oregon Coast coho consistent with the terms of Amendment 13 of the Salmon FMP as modified by the expert advice of the 2000 ad hoc Work Group.

Lower Columbia River Coho

Lower Columbia River (LCR) coho were listed as threatened under the ESA on June 28, 2005. In 2005 NOAA Fisheries issued a section 7 conference opinion regarding the effects of Council area fisheries on LCR coho, but 2006 will be the first year that NOAA Fisheries is providing consultation standards as part of our ESA guidance for the preseason planning process. NOAA Fisheries expects to complete a section 7 consultation regarding the effects of Council fisheries on LCR coho prior to the start of the 2006 season.

LCR coho are also caught in the Columbia River, primarily in state managed commercial and recreational fisheries in areas below Bonneville Dam. These fisheries are managed subject to the terms of the 2005-2007 Interim Management Agreement between the U.S. v. Oregon parties. NOAA Fisheries will also consult on inriver fisheries through a supplement to the existing opinion on the Interim Agreement. Because of the close association between Council fisheries and fisheries that take place in the Lower Columbia River, NOAA Fisheries plans to consider both actions in a single opinion.

NOAA Fisheries reviewed information related to the status of LCR coho and the effects of fisheries on LCR coho through our section 7 conference in 2005, and again in preparation for consultation on fisheries in 2006. Because of the location of fisheries affecting LCR coho, the states of Oregon and Washington are the management entities most affected. NOAA Fisheries wrote letters to the states on August 29, 2005 and again on January 18, 2006 highlighting several areas of concern related to the management of LCR coho. NOAA Fisheries has also talked with representatives of the states on several occasions since then about these concerns. The concerns can be summarized under two broad themes. First, what is the appropriate long-term harvest strategy for managing LCR coho, and second, once a harvest rate limit is selected for a particular year, how do we measure impacts in ocean and inriver fisheries relative to the specified limit?

Efforts are underway to address some of the issues that have been discussed. For example, the state of Washington has indicated, in its Lower Columbia Salmon Recovery Plan, its intention to review the harvest rate matrix that has been used for the past several years to manage LCR coho harvest, and to consider development of alternative management strategies if appropriate for Washington coho. The State of Oregon will do the same as part of its five-year review of the State of Oregon's management plan for LCR coho. The two states are encouraged to work together on this review to develop a common management strategy. NOAA Fisheries expects that some progress will be made on issues of concern prior to the 2006 season, but that much of the necessary review will not be completed until later this year, and therefore be available in time for consideration for the 2007 fisheries.

Nonetheless, the uncertainties surrounding appropriate harvest strategies and allowable levels are such that it is prudent to take a conservative approach to management until they can be resolved. Therefore, NOAA Fisheries expects that ocean salmon fisheries under the Council's jurisdiction in 2006, and commercial and recreational salmon fisheries in the mainstem Columbia River, including select area fisheries (e.g., Youngs Bay), shall be managed subject to an exploitation rate limit on LCR coho of 15%. We are aware that the Salmon Technical Team is reviewing methods for assessing harvest impacts on LCR coho in ocean fisheries. NOAA Fisheries will rely on the Team's recommendations regarding best methods for doing the necessary assessment. NOAA Fisheries understands that the effected managers will make a decision regarding the allocation of harvest impacts between ocean and inriver fisheries that will result in a specified harvest rate limit for the river (e.g., 5%). In managing inriver fisheries, the specified harvest rate limit will apply to each of the early and late return timing components of the LCR coho ESU which will be managed separately in the mainstem Columbia based on run timing differences.

Southern Oregon/Northern California Coastal Coho Salmon

NOAA Fisheries consultation standards for Southern Oregon/Northern California Coastal coho were developed from a supplemental biological opinion dated April 28, 1999. The Rogue/Klamath hatchery stock is used as an indicator of the effects of fisheries on SONCC coho. NOAA Fisheries Service's 1999 biological opinion requires that management measures developed under the Salmon FMP achieve an ocean exploitation rate on Rogue/Klamath hatchery stocks of no more than 13.0%.

Central California Coastal Coho Salmon

Consultation standards for Central California Coastal coho were also developed from the April 28, 1999 biological opinion. Little information on past harvest rates or current hooking mortality incidental to Chinook fisheries exists for CCC coho. Absent more specific information, the 1999 biological opinion on listed coho requires that coho-directed fisheries and coho retention in Chinook-directed fisheries be prohibited off California.

CHUM SALMON

Hood Canal Summer Chum

Chum salmon are not targeted and rarely are caught in Council salmon fisheries. However, the Pacific Coast Salmon FMP requires fisheries to be managed consistent with NOAA Fisheries' ESA standards for listed species, which includes the Hood Canal summer-run chum salmon ESU. The Summer Chum Salmon Conservation Initiative (PNPTC and WDFW 2000), approved by NOAA Fisheries under Limit 6 of the ESA 4(d) Rule describes the harvest actions that must be taken to protect listed Hood Canal summer-run chum salmon both in Washington fisheries managed under the jurisdiction of the PFMC and Puget Sound fisheries managed by the state and tribal fishery managers. Under the terms of the Conservation Initiative, chum salmon must be released in non-treaty sport and troll fisheries in Washington catch Area 4 from August 1 through September 30. The Conservation Initiative does not require release of chum salmon in tribal fisheries in catch Area 4 during the same period, but does recommend that release provisions be implemented. As in previous years, tribal managers will discuss implementation of these provisions during the North of Falcon planning process.

SOCKEYE SALMON

Snake River Sockeye Salmon

Ozette Lake Sockeye Salmon

Sockeye salmon are not targeted and rarely are caught in Council salmon fisheries. Management constraints in ocean fisheries for the protection of listed sockeye salmon therefore are not considered necessary.

STEELHEAD

NOAA Fisheries Service has listed one Distinct Population Segment (DPS) of steelhead as endangered and nine DPSs as threatened in Washington, Oregon, Idaho, and California. All ten DPSs were previously listed under the ESA and considered in previous biological opinions on the effects of PFMC fisheries. The Upper Columbia River steelhead DPS, previously listed as endangered, is now listed as threatened. In addition, NOAA Fisheries is completing its status review of the Puget Sound steelhead DPS. Steelhead are rarely caught in ocean fisheries and ocean fishery management actions beyond those already in place that seek to shape fisheries to minimize impacts to steelhead are not considered necessary. Retention of steelhead in non-treaty tribal fisheries is currently prohibited. The Council and states should continue to prohibit the retention of steelhead with intact adipose fins in ocean recreational fisheries to minimize the effect of whatever catch may occur.

We appreciate that this will be a difficult year. We are committed to working with the Council to address the harvest issues.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Robert Lohn". The signature is fluid and cursive, with a long horizontal stroke at the end.

D. Robert Lohn
Northwest Regional Administrator

A handwritten signature in black ink, appearing to read "Rodney R. McInnis". The signature is cursive and somewhat stylized.

Rodney R. McInnis
Southwest Regional Administrator

References

Kope, Robert. 2005. Performance of Ocean Salmon Fisheries Management relative to National Marine Fisheries Service Endangered Species Act Consultation Standards. National Marine Fisheries Service. Northwest Fisheries Science Center. 28 p.

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