

DRAFT MINUTES
Klamath Fishery Management Council
Columbia River Red Lion
April 2 & 5, 1995
Portland, Oregon

3:00 PM Convene

The meeting was called to order by Chair McIsaac with a quorum of members present (Attachment 1). The members introduced themselves.

MCISAAC: Note Virginia Bostwick and Troy Fletcher are not in attendance at this time. Are there any additions or other suggestions for the agenda? (Attachment 2).

Q: Could we insert a discussion about the reauthorization of the Trinity River Basin Fish and Wildlife Management Act?

A (MCISAAC): Let's put that in between #5 and #6 under "Trinity Reauthorization".

WILKINSON: I suggest that we insert a short period for a caucus between Items #3 & 4.

McISAAC: That's fine. I would like to postpone Agenda Item #1, elect a vice-chair. I understand that topic is being discussed.

Q: We may need to have an agenda item on review of the spawning escapement floor. When is the Technical Advisory Team (TAT) supposed to review the appropriateness of the floor?

A (BARNES): My recollection is that we would wait for the '91 brood year to be complete before we reviewed the floor. Our reason for doing this is that we wanted to look at a complete (4 year) brood cycle. The team could do a "floor analysis" this winter.

AGENDA ITEM #1: Elect vice-chair.

Postponed.

AGENDA ITEM #2: Review the KFMC harvest allocation recommendations from the March 1-2 meeting.

MCISAAC: Agendum #2 (see handout in your notebook) is the statement that I made at the March Pacific Council meeting in San Francisco. I tried to condense our meeting into 3 paragraphs of advice to the Pacific Council.

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DISCUSSION

Q (BITTS): What was the 3rd motion that failed?

A (PARKER): The 3rd motion was in regards to "ocean and in-river sharing. It read: "Sharing will be the same as the last 2 years. 12% harvest impacts will go to river sport fishing with an additional provision that if there is any surplus from KMZ sport, it will be rolled over into in-river sport." It was seconded and amended, but the motion failed.

Q (MCCOVEY): Could the Pacific Fishery Management Council (PFMC) representative recap what options are on the table right now for the PFMC?

A (BOLEY): All the recommendations from the PFMC would follow the 2 motions that passed. In other words: The 12% for in-river sport and the 17% for KMZ sport fisheries, and all the sport fishery options are managed under quotas between Cape Arago and Point arena. I believe all the modelling to date has been done on an equal sharing (fish for fish) basis, so the time in areas that equate to the 35,000 escapement floor have those assumptions in the modelling.

AGENDA ITEM #3: Report from the Harvest Allocation Work Group (HAWG) (Wilkinson).

WILKINSON: The HAWG has met three times this year. There continues to be progress. In my opinion, there is a feeling of optimism among the participating members of the group. Some of the group members are providing written documents to our record keeper that we will compile to evaluate our position/s. As time allows this week, maybe we could meet informally again. Meeting again may possibly not include everyone for every moment of the meeting, but I would like for the Work Group members to consider what their position might be if they personally couldn't attend. In this way, the Work Group could go on and perform some function and be a clearing house for issues. Timewise, there might be some problems with us coming up with a due date but the optimism still is present as far as getting the job done.

Break: CAUCUS

AGENDA ITEM #4: Develop additional recommendations for 1995 salmon harvest management. Present fishery shaping recommendations.

MCISAAC: We need to have some initial discussions about focusing the 3 options that are out there (see PFMC Preseason Report II, March 1995). We will not take any action until after the public comment period.

AGENDA ITEM #5: Council Discussion.

Q (MCCOVEY): Could I get some clarification on how Option II would work with the collective versus independent transfer?

A (BOYDSTUN): The way I had intended Option II to be is that any overage from the early quota in the KMZ Recreational Fishery would be deducted from the second quota. The Klamath contribution rate would be different between May/June versus August. For example, 1,000 fish in June might be only worth 500 fish in August or vice versa; it depends on how the model is prepared. The way it reads, these quotas will be managed collectively with any transfer between quotas based on impacts to Klamath chinook.

Q: How would these quotas affect the escapement floor?

A: The impacts are all set preseason, so any rollover or overage or underage would have been calculated preseason. There are several options with regard to this quota: 1) Fix them (e.g. early quota, late quota) and regard them as separate quotas, 2) Transfer quotas amounts from early season to late season regardless of whether they are overages or underages, and 3) In the event of an early season overage, deduct fish from the late season quota. The 3rd option is the most conservative one. It takes into account all the catches; so if you go over early, it is subtracted from the August fishery, but if you are under the quota early, you don't transfer anything.

Q (MCISAAC): Did you get any comments in the California hearings on this business of collective quotas with transfer between (Option II) or independent quotas held separately (Option I)?

A (BOYDSTUN): There were no comments at the Sacramento hearing.

A (MCINNIS): There were no direct comments at the Eureka meeting either. There was, however, comment from the recreational fishermen who wanted to be assured that they would have a late season quota. I would take that to mean that they were looking at separate quotas.

A (KIRK): I attended the Eureka meeting and asked for the quotas to be independent (i.e. that we drop the language of the collective quota). I asked for the quotas to be independent (as they had been structured in 1993) because this season is somewhat similar to the 1993 quotas. We felt that if the quotas were independent of one another then we would have a guarantee of back quota. We are also concerned about the fact that the season last year was overfished by the sport fishery. We want to live within the quota, but we don't feel that we should be penalized if the

states are not counting fish in a timely enough fashion to get the counts to us so that we can adjust our effort.

MCISAAC: We may discuss this a little bit more during the public comment period.

- Whatever we do, we need to be conservative to be able to meet the floor. If collective quotas are going to jeopardize our conservatism, then we need to take a really good look at them before they are put forth by this Council.
- There are 3 different ways you could look at a collective quota. If we take the most conservative way a step further, would the in-river fisheries then be willing to reduce their harvest in the same proportion that the ocean fisheries had under achieved their impact? That would be even more conservative.
- It's harder to accurately project the ocean contribution of Klamath fish, whereas in-river fisheries catch only Klamath fish.

BOLEY: The concept of Klamath contribution should also be on the table. For example, if we manage by smaller and more numerous quotas in the ocean, it will increase the probability that we are not going to obtain the target. If you did not achieve your early fishery quota, then if the in-river fisheries continue their harvest at their preseason projections, it would result in unequal sharing. So if you are going to put that kind of conservative regime in place in the ocean, then the in-river harvesters should also consider matching what the ocean foregoes -- as far as foregoing that harvest in terms of Klamath fish in the river. It may be a very small number of fish because a lot of the quota that we catch in the ocean is stocks other than Klamath stocks but if we are going to be in a partnership for conservative management, then it should be a partnership all the way. The principle is that if you decide to manage the ocean based on a conservative collective quota where overages are counted against you and underages aren't, then there should be the equivalent action in-river.

BARNES: Since we have been dealing with a five-year average natural escapement of 19,000 fish instead of the 35,000 fish floor and because I keep hearing support for conservative management, I feel that any overage of fish should be transferred to escapement.

MCISAAC: During the past 3 years, when we haven't made the floor, the ocean fishery has come in less than their anticipated impact level and the in-river fisheries have essentially met

their impact rate. The escapement has come up short, so the forecasts were off. This year, we have new forecasting methodology.

Q (MCISAAC: Pliny, are you asking whether Boley's proposal is implementable?

A (MCCOVEY: Yes.

Q (MCISAAC): Is there any opportunity to reduce in-river quotas in early September when the coded wire tag data has been worked up so that we know the Klamath contribution rate?

A (BARNES): Questions on the regulatory process would have to be answered by the Bureau of Indian Affairs.

Q (MCISAAC): When did the in-river sport fishery close and when did the Tribal fishery close?

A (BOYDSTUN): The in-river sport fishery actually closed twice in the lower river. The first time was when the first quota was exceeded and the second time was prior to the Labor Day weekend.

A (WEBSTER): The tribal fishery closed August 20th in the estuary, the mid-Klamath and the upper Klamath closed September 17th. The season opened again on October 21.

MCCOVEY: If there is an overage in the fishery, I think it should be shared between the tribes and the ocean fishery.

BOYDSTUN: With my conservation hat on, I'd make the following points: We could make a recommendation to the Pacific Council with regard to how we go about setting quotas, linking quotas, and establishing other management measures. We could also ask the Pacific Council to be conservative in how they go about this. For example, if we are going to link quotas then we need to do it on the conservative side. This would be preferable to having guaranteed catches which only increase the probability that you are not going to meet your escapement goal. Our group needs to talk about these principles. We could also talk about the reasonableness of the regulations and whether they can be enforced. These are all things that can be considered part of the regulatory process. So instead of this group negotiating the individual options, we could establish some principles that we give to the Council.

MCISAAC: It looks like the ocean harvest was about 10% under in their catch (Agendum 5 of the March meeting - "corrected" '94 harvest table). A 10% reduction in the in-river fishery would have saved about 1,300 fish. If 70% of these were natural fish, we still would have been a few hundred shy from meeting of the floor. The quid pro quo concept has some logic to it. Last year,

we were also disappointed with: The short season in late August, the timing of the weekend season and the catch going over the quota. Fortunately, Klamath fish did not seem to be present when we were going over the quota. Since we cannot count on Klamath fish always being out of the area when we are fishing, we hope that this year's options won't have the complicated logistics like last year. Ideally, we would prefer if each fishery came in right on the button.

MCISAAC: Let's let these thoughts germinate a little bit until the Wednesday evening meeting. Are there any other subjects that the Council would like to bring up relative to condensing the options for the Council? Are there any details on further refinements that we might hear about or be able to address on Wednesday night?

BITTS: Trollers have been working on the Options since they came out in March. Everything we have been modelling has been within the constraints of 50/50 sharing, meeting the floor, etc. We have been looking at different times and areas and trying to come up with the combination that gives us the best season we can get under those constraints. From the point of view of how the fishery looks for fishermen south of Point Arena, there are some significant differences in the models. But, from the point of view of what this Council has to watch out for, the models are identical.

BOLEY: I have a few questions for Dave: #1. Do you like the new season shaping better than the options that you saw coming out of the March Council meeting? #2. Are you at liberty to share those with us today? #3. Are these real seasons in terms of meeting the conservation needs of the actual fish resource or are we fishing the model?

BITTS: The answer to question #1 is yes. The answer to #2 is yes (if you want to take the time to deal with that since it may not even properly be the concern of this Council). The answer to #3 is yes and no, or maybe yes and yes. They are real to the extent that we can make them real -- given the unrealities of the model we have to work with.

MCISAAC: Dave, maybe by Wednesday night, there would be some utility in this Council considering various twists of ocean options that may be acceptable to the nontribal groups. Perhaps we could forward one of these options to make a recommendation to the Pacific Council.

BITTS: Yes. This sounds good.

New Agenda Item. Trinity Restoration Program Reauthorization.

MCISAAC: I was contacted by Mr. Kevin Wolf who is interested in commenting to us on this topic. Later, we will determine whether or not there is any Council action we would like to take on this item.

MCCOVEY: I think it would be appropriate to hear points about Trinity Restoration before we actually have public comment. I would then also like to know how other Council members feel about the reauthorization.

KEVIN WOLF: My job with the Friends of the Trinity River is to do two main things: 1). Help get this EIS completed by the end of 1996 and get a good, environmentally sound, record of decision made by the end of '96 (as authorized by the 1992 Central Valley Project Improvement Act legislation). The specific objective of the EIS is to restore the fishery to pre-dam levels (roughly about 300,000 fish in the ocean or about 62,000 fall escapement back to the river). 2). Continue restoration work on the Trinity, so that when the water is returned to the river, the restoration work can be maximized. We have had discussions with the tribes, commercial fisheries, CalTrout, and the other interested players about rewriting the legislation. We have agreed on 95% of what the legislation would look like, for example:

- Limit the legislation to 20% administrative overhead costs.
- Provide funds for monitoring.
- Rather than focusing on escapement back to the river, the intent language would focus on ocean population levels.

Where we disagree is on whether the legislation should include language that changes how the harvest is allocated. This is because the PCFFA members want to use this legislation to help open the ports in the Crescent City/Eureka area. It appears that without a change in harvest allocation, even with a significantly restored fishery, it would be very difficult to have those ports open. The tribes will not support changing the allocation in the legislation and it appears that the commercial trollers will not support reauthorization without some kind of harvest allocation change. There are 2 other areas of disagreement or concern by the trollers; one is the concern that a restored fishery does not provide the same benefits to the trollers as it does to the other fisheries. Congressman Frank Riggs has made it very clear that he wants to have PCFFA's support of legislation before he will sponsor it in Congress. Congressman Wally Herger has let us know in the last week that he will not support legislation without Frank Rigg's support. So now, Mr. Riggs is looking for the PCFFA's support of legislation. We are facing a time deadline

within the next 100 days of Congress. We understand that some legislation needs to be introduced or we may lose the opportunity to pass legislation this year. The area that I hope that you would be able to resolve in the next few days would be a clear understanding of how a restored Trinity River Fishery would benefit the different fisheries so that you could actually provide a number back to the Congressmen. My hope is that everybody here wants to see the Trinity stock restored. When you weigh these 2 points against one another, hopefully, you will support the fishery being restored in the Trinity and the reauthorization of this legislation. That is essentially where the legislation is right now and what the problems are that prevent the legislation from being introduced.

Q: What is the dollar figure right now for the Trinity reauthorization?

A (WOLF): There are at least 2 versions of the bill: Administration's version is for 7 years and \$30+ million dollars. The other version is a 5 year \$23 million version. PCFFA has also been working on a version.

BITTS: Before we can open Crescent City and Eureka ports to the troll fishery, we have to open Fort Bragg and Coos Bay ports. Under the current allocation, those ports are (basically) permanently closed. The second thing is, we were talking to Congressman Riggs' staffer in Eureka and we asked him about the "100 days". He said that nobody is even going to pay attention to this reauthorization until after the 100 day Contract With America agenda (so it doesn't even make sense to introduce it within that time frame).

WOLF: Dave, the way we understood it (as shown in the TCC minutes) is that it won't be dealt with until July or August, but if you don't have a piece of legislation introduced by a certain day, they won't consider it at all. That is the threat of the new Congress.

Q: Kevin, is there a draft version that you came to agreement on?

A (WOLF): We (the trollers, the Yurok, and Karuk Tribes, CalTrout and I) met in Eureka to come up with these basic agreements. Zeke Grader (PCFFA) said he would write the intent language that came out of those discussions. We have not yet received a copy.

STEVE (unknown last name): It was my understanding that Zeke and I were charged with writing the intent language on the specific issue of how we were going to deal with the impasse concerning the allocation and restoring fisheries to the north coast. It

was not my understanding that we were supposed to include all the matters we agreed to in that meeting.

WOLF: You are right. I could give you the component parts that we have reached agreement on so that you can see them.

MCISAAC: Kevin, you asked 2 technical questions that you wanted the KFMC to address. #1: Are the benefits the same to the trollers as any other group catching Klamath fish? In other words, would a 50% increase in abundance result in a 50% increase in the potential harvest for all fishing groups (as long as the escapement is preserved). #2. Could the Council (i.e. Technical Advisory Team) provide a number for what the abundance would looklike if the watershed was fully restored? For example, at the meeting in Hiouchi we discussed starting with the escapement, then framing it in terms of the age 3 ocean population that would result in the mitigation goal.

BARNES: What you would have to do is look at a number and set some parameters if you wanted to see what the results were for each harvest group. We could run these numbers this afternoon. If you wanted to look at a high number, you could take the ocean populations from 1986-'88 and run that through the harvest rate model and the Klamath Ocean Harvest Model (KOHM) to see what the results would be. That would be one choice. Another choice is that we could look at increased alpha. Otherwise, you could pull a number for an ocean population out of your hat. We wouldn't be able to do any modelling until we have the KOHM in hand -- probably midmorning tomorrow.

Q (MCISAAC): Jerry, what was the team's schedule to address this issue of the fully restored fishery?

A (BARNES): This task has been bubbling along for quite some time. The team went back to look at changing the value of Alpha because restored fisheries or restored habitat change the recruitment per spawner.

Q (MCISAAC): When is the next scheduled meeting of the Tech Team?

A (BARNES): We could meet tomorrow and do this if we had the numbers. It would be impossible to do it if the Council just left it open and said, please give us what the yield is to each user group with a "fully restored" Trinity fishery or Trinity habitat.

MCISAAC: I am hesitant to have the Team take on a question of this magnitude without the full membership of the Team present, so we will wait to give them this assignment until after we develop the parameters and after more members are available.

WOLF: For the purpose of Congress, when they evaluate this Act, we would just like to see a number that says, here are the numerical goals that you are required to meet. Could you put those goals into the model and tell us what you will get as an allocation? The number would help Congressman Frank Riggs get an understanding of what the Act could accomplish.

BARNES: A complication is that the harvest rate model would first need additional parameters added. For example, how big of a commercial fishery would there be in the zone? How much at each port? What would be the distribution of impacts north or south of the zone?

MCISAAC: I am hesitant to get into a complicated technical analysis when our primary job this week is to set '95 seasons. I would like to ask this Council more about their response to Mr. Wolf's first question.

BITTS: I think we may be making too big a deal out of running the models at assumed restored fisheries. It might be a relatively simple matter to determine what the age 3 May 1 ocean population is that we are looking for. Just plug that number into the models, run it and see what comes out. If you want to break it down by ports, then it does get more complicated. But you can very easily break it down in terms of how many Klamath fish are going to be caught in the ocean fishery and how many are going to be caught by the Tribes and how many are going to be caught by in-river sport. This is not a difficult thing to do once you have decided on the numerical goal for your age 3 restored population. Now, regarding the "sticking points" on the Trinity reauthorization, unless we can come up with something really creative, or unless the courts decide differently on the allocation, closure is the future for those ports. This is a somewhat separate issue from the issue of "do ocean fisheries benefit from an increased Klamath population". If we are limited to a 20% ocean harvest rate, then as the population from which that 20% is taken grows we will benefit by catching more Klamath fish. Zeke and I have been working on how to deal with the prevailing definition of tribal fishing rights (while offering a chance to restore fisheries on the north coast) and at the same time, not compromising the course of the lawsuit for either party. I think we will have some language to offer this week.

GROVER: I think we have a unique opportunity here to go forward with legislation on the reauthorization of the Trinity River. One, since we are looking at renewal of an existing program, the ground has already been plowed. Any congressional action is going to be reaffirming what they have already done in the past. Now we are just trying to agree for how long and how much and how we are going to allocate. I cannot fathom any substantial opposition from either side (Republican or Democrat). I think this kind of legislation has the opportunity to gain wide consent

particularly if you have both of the major parties, the Indian and nonIndian fishery, in there and the support of the Administration. We have to get the reauthorization, get some fish and then worry about the allocation issues and some of the other things. I don't think we can afford to miss this opportunity to have the legislation reauthorized because it would cause a major interruption in the life cycle of the salmon and a disruption to our efforts to restore the Trinity.

BITTS: Jerry, it is good to get that positive assessment or the possibilities. But we don't affirm the course to date of the Trinity River Task Force and its projects. While the Trinity Task Force has done some good things (especially in more recent years), we believe that, of the 1/2 dozen or more models that we have for how salmon restoration can be conducted, that the Trinity is the least successful of all those models. It is also the most expensive. We don't want to do this type of restoration again. If we are going to reauthorize it, it is not going to be a reaffirmation of what has gone before, it is going to be going in a new direction or we are not going to support it. The Trinity Program is monumentally costly and monumentally ineffective. Secondly, we are not going to support that bill unless we can get a fishery back on the north coast. So those who want that bill, and want our support for it, please, help us figure out a way to get a fishery back on the north coast. If we can get the changes that will make it an effective bill to do the job it is supposed to do, then we will support it, but if we cannot get those 2 things, we won't support it.

Break.

MCISAAC: I would like the record to note that both Virginia Bostwick and Troy Fletcher joined us during the break. We welcome them to Portland and appreciate their participation.

ADENDA ITEM #6: Public comment period.

JIM WELTER, Brookings, Member of the Klamath Management Zone Fishery Coalition: I will start with comments on the Trinity River. I am hearing different funding amounts for the Trinity Program today than I have heard in quite a while. I have not heard exactly how much water they are proposing to put in there. What happens if we go back to drought? I am not in favor of putting one more dime in that system until you can get some water in there. In the meantime, I am wholeheartedly opposed to reauthorization.

FLETCHER: The Klamath Intertribal Fish Commission met with Dan Beard (BOR) on Friday and we had a lot of discussion about: 1) The Klamath Project, 2) The reauthorization of the Trinity River and 3) The need to complete the EIS on the Trinity River. The Tribes met with Dave Bitts and Zeke Grader and we basically

agreed on just about everything except for one detail. We are still working on it. The reauthorization is important in terms of more water because it will provide some of the money for some of the bank feathering and other projects that can help justify an increase in water needs for the Trinity River. This is an important aspect of the bill that will help secure more flow in the future and provide for greater habitat. Right now, without some of those restoration projects, it is hard for people to justify increases in water.

WELTER: Regarding spawner escapement floors, last year, they left the gates at Iron Gate Hatchery open and many fish came into the hatchery. Many of these fish died, so they weren't able to spawn or be harvested by any of the users. This year, DFG solved the problem by closing the gates to keep extra fish out of the hatchery. Now, returning hatchery fish have to spawn up Bogus Creek, somewhere between I-5 and the hatchery, or go up into Shasta River where they are then counted as natural spawners. Is this the kind of biology that we are going to continually have to put with?

BOB JONES, Brookings, Oregon: I have several perspectives to share with you: #1) The President of the Brookings' Fishermen's Association, Mike Griffith, asked me to read this letter to you: "We, the fisherman, of Brookings would like to see Option I implemented for the 1995 troll season. The State of Oregon would benefit with Option I. It would generate revenue for coastal communities. Also, it would keep commercial fishermen off the endangered list. We are opposed to Option III because it doesn't let us collect important catch records. We need more time on the water to achieve this goal". #2) At Coos Bay, Howard Teague, Port Manager of Gold Beach, said that Option II in its original form was preferred (as originally presented) as the consensus of the coalition. #3) As a Salmon Advisory Subpanel (SAS) member, I want to let you know that Option III was modelled incorrectly. The number of fish in the quota that went out for public review was overstated. The quota will need to be reduced by probably some 700 to 1000 fish. #4) The coalition had a meeting on March 28th in Brookings. It was attended by California and Oregon people and they want to ask the Council to consider option II (as it was originally presented; i.e. removing collectively from the quota and inserting the word "independently", removing buffer zones and including 2 fish in the September daily bag limit rather than 1 fish). That would reset the option back to its original form. We realize that as the week goes on, these things will be fine tuned and out of this will come a final season. #5) As a resident of Brookings, Oregon, I hear concerns about overfishing, allocations and quotas. I would like to remind this Council that in 1993, not only did we under fish our Klamath allocation but we (ocean sport anglers) under fished our ocean allocation. The model predicted incorrectly what the ocean sport quota should have been. We fish

within our allowed quota so we are not impacting the Klamath fish to the extent that we are allocated. I won't argue that the floor was not met-- but that was a result of the function of the model. If we should be cut down, so should the other cells. I would like to have a chance to fish in our time period on our fish.

BITTS: I agree with the substance of your argument, but I want to caution you about using the term "overfishing." In 3 of the past 4 years, the ocean fishery has fallen short of its Klamath allocation.

JONES: I do not adhere to the definition that comes from the Technical Group -- We are not overfishing.

Q (WILKINSON): Bob, did you say the Port manager at Gold Beach supported Option II in its original form? Did he make any comments about the troll Option?

A (JONES): Yes, he supported Option II.

Q (BOYDSTUN): What is the problem with the buffer zone? It seems like it reserves more fish for the Brookings, Crescent City, and Eureka fishermen. It would only apply to salmon fishing. Rock fishing and other kinds of fishing would continue.

A (JONES): The Coalition does not want to create a fishery that will create problems for other people. If we create a fishery that necessitates creating buffer zones (where every type of fishing is shut down), we could theoretically be impacting someone else and we just don't want to do that.

BITTS: Regarding the buffer zones. If I remember the discussion from the March PFMC meeting, there was concern from the enforcement people that boats might be zipping north from Shelter Cove and fishing in the zone and then zipping back to the cove. If this is happening, then they are actually fishing the zone but fish are counted in a different area. I think that was the problem that the buffer zones were intended to address.

Q (JONES): Shelter Cove and Fort Bragg open August 1 when the zone is shut down. Are people going from the zone down to fish and then coming back?

A (BITTS): Not likely.

WILKINSON: I wonder what the incidence rate is of effort shift in the northern section. Humbug Mountain (essentially Port Orford) has virtually no recreational fisheries. It is hard to imagine that there is an effort shift between a port that has no launching facilities and a port with a fatal bar.

BOLEY: I was surprised when this issue was previously brought to the Council, because I wasn't convinced of the need to draw microlines in the ocean for management purposes. I'll be asking the enforcement people for specific citations of why we really need this buffer. Usually the complaint was that we don't want any more lines in the ocean, so I am not convinced of the utility of those buffer zones.

MCCOVEY: Regarding the quotas, I think we could support the Coalition's position on Option II.

Q (WILKINSON): Were there comments regarding changing the 27 fathom line to a 3 mile line?

A (BOLEY): At the Coos Bay hearing the Bay Area Chamber of Commerce went on record as supporting a 3 mile line rather than 27 fathoms.

Mike Orcutt, Hoopa Tribe: In regards to the reauthorization discussion today: 1) It is unclear as far as what technical analysis is being asked for. What is the time frame? 2) We participated in all of the discussions pertaining to the reauthorizations (e.g.: a) Those meetings that Reclamation sponsored a year ago supporting the original request for reauthorization as a member of the Trinity Task Force, b) California Salmon and Steelhead Advisors discussion in July, and c) Discussions now that are happening as a result of the meetings that we had with Frank Riggs back in December). During all these meetings, I noted that there was a lack of discussion on changing the current water delivery system to the Sacramento River. 3) The Tribe is a co-lead with Fish and Wildlife Service (FWS) (probably one of the only places in the U.S. where a federal agency and an Indian Tribe are co-leads on an EIS) and reauthorization of the Trinity is critically tied to funding of the EIS (\$500,000). We don't want the 12 year efforts for flow evaluation by the FWS to be lost. 4) All of the alternatives that are going to come out of the EIS will include the assumption that mechanical means are going to be needed to restore the function of the stream channel. We look forward to seeing the language that PCFFA has come up with. Hopefully, the draft legislation will move forward with that effort.

KEVIN WOLF: Some people don't think water should be allocated because if the river is not restored, then you cannot justify sending the water down it. For 30 years, the river has been ripped off of its water. Now we finally have the chance to get water back. Everything is on our side right now. On the other side are the CVP farmers, some of the biggest most powerful political people, who are not going to allow that water to go down the river if there is no restoration legislation. I urge you to grab the opportunity and get the legislation passed so

that you take away the one opposition that they have for not releasing the water down the river.

FLETCHER: I think these comments are something we really need to pay attention to. We are sitting here arguing over a limited resource while we have got people, power interests and agricultural interests that are going to capitalize on our little skirmish. In the scheme of things, the issues that we are arguing about are not that big. The opposing interests are going to capitalize on our arguments, so we need to do what we can to push through. Our best allies are each other, so certainly, we need to line up with each other against the other interests.

BITTS: I agree with you. We should be each others best allies on this issue because we have a huge common interest. All we need is for you to help us figure out a way to get a fishery back on the north coast.

MCCOVEY: I agree that we have got a lot to lose here, but we have a lot to gain, too. There is big money that is involved here. We are not looking at the small scale agricultural interests, we are looking at very large scale agricultural interests who have a lot of money. It is unfathomable to me to try to put dollar figures on things when you look at the power that is being generated out of the Trinity system. Those turbines are probably one of the biggest in the state.

JIM WELTER: Trinity River water generates about 12 million dollars in power receipts alone. When you add the benefits to all the other people for agriculture, we are facing very strong opposition to the Trinity getting more water.

Q (BOLEY): Mr. Wolf, could you review the water figures with us?

A (WOLF): The FWS 10 year flow study showed the need for 860,000 acre feet of water as a recommendation to the CVPIA for Trinity River flows. This is the figure for the flow level that will be included in the programmatic EIS coming out in September '95. If legislation doesn't pass, they will probably not include those flow levels within the programmatic EIS.

Q (MCISAAC): Mr. Wolf, could you explain to the Council more about the linkage between the programmatic EIS and this reauthorization?

A (WOLF): The purpose of the EIS is to restore the fishery. If you release water down a narrow, willow encroached stream, you are probably not going to get a restored fishery. You need to put the channel back to the way it was before the dam and then run quantities of water equivalent to a spring flood flow to develop and maintain a historic river channel that will bring

back the historic fishery. The argument is without the ability to take those 30 years of encroaching on the channel and putting back the gravel bars, your water is going to be wasted. They can't justify the water being released down the stream without some restoration being done on then mainstem. The only way you can do restoration on the mainstem is to get money and no one has money except for the Federal government.

GROVER: There are 2 environmental impact statements. One deals with the Trinity (the programmatic side and the results of the 12 year water flow study) and the alternatives that could be developed with a restored river or a nonrestored river. This EIS is jointly led by the Hoopa Tribe and the USFWS. The other EIS is a programmatic EIS that is being driven by the Central Valley Project Improvement Act (CVPIA). The curious feature in the Act is that, for the purposes of the CVPIA, the Trinity River is to be considered as part of the Central Valley Project (CVP). For the programmatic EIS on the Sacramento side, they have to identify what waters may be transferred from the Trinity River through this interbasin transfer.

Q (BOLEY): Who makes the recommendations that are in those EIS's? How firm are they?

A (GROVER): The EIS process is a NEPA process to identify the alternatives. If the Secretary accepts the alternative on the Trinity, that is the way it is going to be (and vice versa). The EIS process is very open and public with both the Bureau and FWS participating -- I am not sure how much fiddling with numbers would go unnoticed.

FLETCHER: Unless you have some of these in-stream improvements, people are going to be saying that water is wasted. We will work with the trollers to draft legislation.

BARNES: I am on the team which is working on this channel modification EIS. The Secretary of Interior made the decision for a minimum flow level of 340,000 acre feet under pressure from the Hoopa Valley Tribe. Nobody is trying to achieve what pre-dam conditions were in the Trinity River. That would be impossible. Current controlled flow releases would probably be about 28,000 cubic feet per second. The river is flowing at 9,800 cubic feet per second right now. The current objective of the EIS would be to attempt to build a "natural channel" within the current flood plain (established by the post-dam flows). This will take mechanical manipulation of the channel in conjunction with water releases at certain times of the year to move sediment. It is absolutely true that you need both the flows and the manipulation; neither one would do the job alone.

AGENDA ITEM #7: Council Action.

Harvest management.

MCISAAC: Let's convene an informal South of Falcon negotiation meeting tomorrow from 1:00-2:00 PM in the SAS room. At that time, we will hear more debate and discussion until we come up with a recommendation to the Council on harvest options, quota management, buffer zones, etc.

BOYDSTUN: This informal meeting is a good idea. There could be a lot of discussion ahead of us.

Trinity reauthorization.

Is there any Council discussion on any action this Council would like to take?

BITTS: Regarding the assignment on the benefits to the restored fishery, I would suggest that we simply agree upon a number of age 3 Klamath system fish in the ocean on May 1st that we consider to represent a restored fishery. The range could go from 250,000 fall chinook to 250,000 fish (including spring chinook, sturgeon, steelhead, candlefish, etc.) to 600,000 fall chinook (as in the all-time record years) or something in between. I would suggest that we look at something like an age 3 May 1 ocean population of 300,000 fall chinook to represent a restored fishery. Maybe a higher number is appropriate. We need to choose a number, then ask the Team to run that through the harvest rate model. If we want to look into the benefits by port up and down the coast, it is a lot more complicated because we have to look at different season shapes and stock mixes, but if you just want to look at the benefits in terms of increased Klamath Harvest, we can just run the numbers through the model.

BOYDSTUN: Listing all the assumptions that go into the assignment would be the most difficult part.

BITTS: Here are some assumptions: 1) Assume that allocations and sharing continue as they are now, and 2) Assume that the Amendment 9 Spawning Escapement Policy remains the same. Use current working allocations, sharings, and escapement goals.

MCISAAC: Here's some more guidance for the Team: Each time you come to a fork in the road, take the optimistic fork. In this way we will characterize this as a very optimistic, preliminary estimate. Also throw in what the aggregate ocean catch would be -- use the power broods of the late 80's or the peak year. Look at fall chinook numbers only.

WILKINSON: If the Team just picked a number from the record and said, here is what happened at one time in the past and this is

what would happen if we hit those kind of numbers in the future -
- then it wouldn't be speculation, it would be actual. We would
be able to see what this scenario would mean to the ocean and in-
river fisheries.

BOLEY: You are going to need to run the model to a steady state
which is going to give you a contribution of 4 year olds in the
fisheries.

MCISAAC: The 300,000, or whatever number is chosen, should be
technically based rather than arbitrarily based.

WILKINSON: One other alternative is the model where we ran it
through the Ricker production equation at MSY. If Alpha is
increased to 16 from 14 (the recruitment of 2 year olds per
female), because of restoration efforts, then the numbers for
basin capacity could range from 50,000 to 168,000. This is
assuming that the extra water and the habitat manipulation
changed Alpha and Beta in the Ricker model.

FLETCHER: We also need to think about the aspect that with the
greater number of fish available from the Klamath system, then
the more flexibility ocean managers may have in their
distribution of catch.

BOLEY: We only get into the ocean harvest model when we start
talking about how to split up the catch coast wide.

MCISAAC: This preceding discussion provides the general guidance
for what we want to hear from the Team on Wednesday night.

Q (BARNES): Would we look at just ocean troll impacts or would
it be ocean troll and recreational combined? Do you want to
assume 17% ocean impacts by the recreational fisheries?

A (BITTS): Yes. I think it is valuable to make that
distinction, because those fish have different values and are
basically used in pretty different ways.

AGENDA ITEM #8: Report from TAT on monitoring needs for the
Trinity River.

BARNES: I'll answer any questions on the summary document
(attachment 3) showing the monitoring efforts for the Trinity
River.

Q (MCISAAC): Does this estimate include the costs to do a full
creel census, carcass count, or survey of spawning in the
tributaries?

A (BARNES): No, because none of these tasks are used to produce the population estimates. The Junction City weir is used to make an independent estimate of the differences in the tagged fish between the 2 weirs. That data is used as back up estimate for the original estimate for the of fall chinook population.

GROVER: I spoke with Dan Foltz, Bureau of Reclamation, to ask if they would continue any part of the funding for monitoring. The Bureau's position is that without any reauthorization, they have no authority to spend money. Right now, they are making plans to move the people from their office in Weaverville and incorporate them into other program areas. I also asked if funding for monitoring was included in the funding for the hatchery (i.e. If you are supposed to be mitigating, how do you know whether you are meeting your goals if you don't evaluate or monitor those stocks?). I was told that the Bureau is facing cuts in their budget and reductions in FTEs. There is no money coming up in 1996 and the first window of opportunity would be '97. Basically, they offered no encouragement. The preliminary work to assemble fy97 funding will begin this summer.

Q (FLETCHER): Does the Trinity River hatchery have any legal obligation to tag fish?

A (GROVER): I did not look at the Memorandum of Agreement that transfers the money for the operation of the Trinity river hatchery to California Department of Fish and Game (DFG).

Q (MCISAAC): LB, do you know enough about the mitigation agreement that a case could be made against the Bureau if tagging and tag recovery were not accomplished?

A (BOYDSTUN): You are asking me a legal question, but I am not a lawyer. I don't have much hope that there is anything more in the contracts beyond supplying money for fish feed, facilities operations, personnel, etc. I could provide a copy of the mitigation agreement to the group if they want to look at it.

MCISAAC: Yes, I would like to look at it. Jerry Grover, if you find any other documents signed at the time the dam was built relative to mitigation, I would also like to see those.

GROVER: I will check the archives to see what I can find.

Q (BITTS): Jerry, at our meeting in Eureka, you said that the beneficiaries of the project, (i.e. the power and water users), are ultimately responsible for the mitigation and you had some hope that they might be induced to pay for the monitoring as part of the mitigation. Were you able to pursue an answer to that question?

A (GROVER): I got a small start, but I wasn't able to get a clear answer yet. Overall, it is a Federal philosophy to tie monies for operation of facilities together with funding for monitoring, evaluation, fish health, light, heat, phone and fish food. Congress appropriates the money. The Bureau is the banker to set into motion the restoration project with the assistance of the project beneficiaries. In this case, the project beneficiaries are the power users (via the Water and Power Act [WAPA]) and the irrigators (through the various contracts that they have). The portion that has to occur first is getting the appropriation. I didn't offer to go directly to the users (like WAPA or to the irrigators). I was using the in-line process that is available under Reclamation law whereas Congress appropriates the money to the banker.

BARNES: Marking 200,000 fingerlings is the only part of the Trinity Program that is currently scheduled to continue. They currently mark 200,000 fingerlings and 100,000 yearling fall chinook on both sides of the basin. Yearlings are not marked until September, so right now that portion of the program will not be funded.

Q (MCISAAC): When does the funding run out?

A (BARNES): The funding runs out at the end of the federal fiscal year '95 (September 30), but the State fiscal year ends in July, so there is a little hiatus there. The money doesn't do a lot of good as an initial investment if you don't have a guarantee that you are going to have the money to complete the project.

BOYDSTUN: The current work plan is to start looking for new stations for the employees. Right now, I don't see any reason to change the plan of getting final reports written and getting people relocated. After decommissioning the project, it will not be simple to start it back up because we will have to go through a budget process, then hire people. We are at the critical point in the timeline right now.

MCISAAC: I'd encourage the Council to do some thinking about this. Maybe we can take some action Wednesday.

Q (BOYDSTUN): Department of Commerce has an interest here, too. They agreed to the Department of the Interior position on sharing fish and they are also very much behind the management of these fish. How are we going to deal with managing these fish in the future if the data isn't here?

A (MCINNIS): We, the Department of Commerce, have responsibilities that we have to uphold with ocean salmon fisheries. Having the responsibilities and having the funding to

do anything about it are 2 different things. All the funding that we currently have available is sent through DFG to do the monitoring. There just isn't any more money at this point in our budget. We are also in the process of doing more status reviews under the Endangered Species Act, so there are more possible listings of anadromous fish. It seems that the only way to get money is to be in a crisis situation, so there may be some avenue that will open up to find some funds for salmon monitoring. We do share responsibility for finding the funds with the Department of Interior.

Q (BOLEY): How are the population estimates for steelhead in the Trinity river made?

A (BARNES): Since the early '80s there has been 100% marking (fin clip) of Trinity Hatchery fish. Population estimates are made from the fin clipped fish coming back in the Trinity River. On the second page of the handout (attachment 3) you'll see the costs for marking steelhead, but that assumes that you have got the infrastructure in place for marking fall chinook and spring chinook.

Q (MCISAAC): Is it true that all runs of Klamath Province steelhead (from the Rogue to the Klamath inclusive) have been proposed for listing as threatened? And, is there any reason to anticipate an influx of Federal money (to improve estimates of abundance) if there is a final listing?

A (MCINNIS): Yes, and I can tell you that with the Snake River chinook and sockeye listings, there was considerable additional funding (e.g. \$4 million) that flowed into the northwest region of NMFS. I am not really hopeful that we will be able to count on additional money flowing into the NMFS West Coast regions to deal with steelhead and other potential listings in Southern Oregon and Northern California.

Q (BOLEY): If the steelhead population has been proposed for listing then you have 1 year to make a final decision. Is NMFS going to forego gathering data on escapement in the Klamath and Trinity Rivers? If the monitoring doesn't occur on the Trinity, then you aren't going to know when you have to make the listing. Will this be acceptable?

A (MCINNIS): It would certainly not be the ideal situation. I don't know how much one year of data would change the decision on the listing, but I will certainly carry the message back to NMFS.

BOLEY: I have a bad feeling that this monitoring program is only going to be obviously missed when the program and the people are not there anymore.

AGENDA ITEM #9: Announcement of Harvest Allocation Work Group meetings prior to Klamath Council meeting.

WILKINSON: I will announce the date, time and location of the next HAWG meeting at tomorrow's South of Falcon forum.

AGENDA ITEM #10: Identification of agenda items for the Wednesday evening meeting.

** Approve minutes from the March 1, 1995 meeting.

** Put the Trinity Reauthorization Issue between #15 and 16.

NEW AGENDA ITEM: Technical Team membership.

FLETCHER: Joe Polos worked for the Yurok Tribe for a specified period of time in an Interagency Personnel Agreement from FWS. He fulfilled what he was charged to do (establish a fishery program). We are grateful to Joe and FWS for allowing that situation to occur. Now we are moving forward with our fishery program and Joe is back with FWS.

BARNES: Joe is very interested in allocation and population dynamics and he has come up with a lot of innovations that have resulted in good management. Many of us would still like to see him on the team. Perhaps he will be able to be the FWS representative.

Q (MCISAAC): Is there speculation that the FWS would drop out of technical participation on the team?

A (GROVER): I am not able to answer that question right now. FWS is going through a number of changes at this time (particularly our office in Arcata). In the past, we had been under contract through BIA (on behalf of the Tribes) prior to the tribal fishery departments evolving. Now that the tribes are fully self sufficient, that money goes directly to the Tribes. Our role is diminishing in favor of the Tribes role. FWS will still be a participant as long as we are in Arcata but Joe will be spending more time on other assignments.

RECESS

April 5, 1995

7:00 PM Reconvened

MCISAAC: Are there any additions or changes to the Agenda?

BOYDSTUN: I have asked Alan Baracco to attend the meeting and bring us up to date with where the Salmon Technical Team (STT) stands with regard to modelling and analyzing the SAS's recommendation for the final regulations for the '95 fisheries.

MCISAAC: Let's add him in between Agenda Item #11 and #12. We also need to approve the March minutes, but we will delay approval until the next meeting because several members have not yet read the minutes.

BOLEY: I would like to learn more about the modelling in the August troll fishery off the Rogue River. Specifically, was the genetic stock identification (GSI) information that we obtained last year utilized to determine the Klamath contribution rate? Perhaps Alan can clarify these points.

MCISAAC: I would note that our primary objective tonight is recommendations we could give to the PFMC. The Trinity Reauthorization situation is obviously serious, too, but our primary objective is related to the 1995 salmon harvest management actions.

AGENDA ITEM #11: Report from the HAWG.

WILKINSON: As a recommendation to achieve a long term agreement under the prevailing law, the parties agree that certain elements of this agreement are of long term duration. Generally, items that improve conditions for all parties, or that improve the health of the resource, or that are essential for the successful implementation of this agreement should last a number of salmon generations. The parties agree that the following elements are long term: The commitment to habitat improvement and the availability of adequate program support funding to implement harvest sharing. The technical parameters of this agreement should be reviewed at 5 year intervals to allow adjustments as our knowledge improves or as agreed by consensus.

MCISAAC: Although Keith's reports from the HAWG for the past couple of meetings have been very brief, the activity in that group has been very large. I hope that this group will continue to be successful in its progress.

NEW AGENDA ITEM: Technical Presentation: 1995 Salmon Harvest Management.

ALAN BARACCO: I have been asked to briefly describe the technical aspects of the allocation that the Council has adopted (attachment 4). I will walk you through this handout and describe what techniques are used to allocate the allowable harvest of Klamath fall chinook. Page one is the output from the Harvest Rate Model. This is a model that works on set fishery and stock parameters. The upper left hand corner of this output

provides the basis for 1995 allocation. This is a theoretical perspective based on the stock size projections of adult age 3, 4, and 5 fish for 1995. The second set of numbers show the stock specific info: The % of the population that is legal, shaker mortality death rates, the maturity schedule and the individual fishery parameters. The 3rd and 4th sets of numbers gives current information on the fishery (e.g. potential contacts, the in-river drop off rate, etc.). The third set of numbers shows the stock size estimates which are then apportioned based on the theoretical fishery impact values at the proper ocean and river harvest rate combinations to produce the goals that the Council has set forth for '95 allocation. When these harvest rate combinations are applied to the projected stock sizes, we get the expectations of harvest in the ocean, in the river tribal and in the river nontribal sectors of the fishery (shown in the upper left hand corner). These combinations are set to achieve the Council's objective for spawning escapement of 35,000 natural spawners.

There are several ways to apply these values (i.e. translate these values into actual fishery structures and resultant catches, particularly those revolving around the ocean fishery. As you can see from the output in the upper left corner of page one, the expected ocean adult harvest is 13,500 fish. The expected natural spawning escapement is 35,000 adult fish and as shown on the upper right part of the output the expected ocean harvest rate is 10%.

The second page of the packet is the application of the KOHM. It is the translation of the values on page one to the ocean fishery and the river expectations. This is where, from a modelling standpoint, we come to somewhat of an impasse in meeting all the theoretical or normal applications of the harvest rate model. This particular output from the KOHM contains our best accommodations of Klamath Council objectives applied to the ocean fishery (i.e. fifty-fifty tribal-nontribal sharing, 35,000 spawning escapement). Now, in addition to the constraints associated with tribal/nontribal allocation of the resource, the ocean managers have placed additional constraints on the modelling. For example, they want to see an equal division of Klamath impacts to the Oregon and California troll fisheries and an expectation that the Klamath Management Zone recreational fishery will be allowed to access 17% of the total Klamath impacts in the ocean. This option attempts to balance all of these constraints. That is not to say that it is the only structure available to best utilize or to best achieve all of the objectives of both the Klamath Fishery Management Council and the Pacific Council. The last 3 pages of the packet show the ocean fishery structure. One correction for this particular scenario would be a reduction in the July through August Sisters Rock to

Mack Arch troll fishery. It is shown as a quota of 2,500, but it should show 2,100.

Q (MCISAAC): The second sheet of your handout has an exploitation rate of 2.030 for the KMZ sport May cell. What does that mean?

A (BARACCO): It means that during the base period, '86-'90, fisheries in May in the zone were of rather small duration and harvest.

Q (BOLEY): Last year, we went to considerable trouble and expense to obtain specific information on Klamath impacts in the Rogue River area for the month of August. We were able to sample 200 plus fish for GSI. The preseason estimates of the Klamath contribution rate were 34 or 35%. By my calculations that fishery actually came in at about 16% Klamath fish. Did we utilize that new GSI information?

A (BARACCO): The information that is being used is 5 years of coded wire tag data in fisheries that occurred in that area 1986 to 1990.

Q (MCISAAC): When the Team talked about the GSI information from last year and weighed that value against the 5 year data set of coded wire tags and the specific area versus the general area data, what were some of the rationale used to develop their approach?

A (BARACCO): The STT is a "show me" kind of group. If you can show us consistently that something happens (e.g. stock composition, credit to a fishery, or some phenomenon of hooking mortality) and if it shows itself to be consistent, then the technical people are willing and open to using that information. We are somewhat skeptical to use snapshot information in a general sense. New data has to be tested over time and tested in various situations.

can
Q (MCISAAC): Coded wire tag based estimates (with confidence intervals on sampling efforts, tagged/untagged expansions, and the problematic situation of wild stocks that aren't tagged (e.g. the Rogue)) can be compare to a GSI type estimate that has tighter confidence intervals and allows specific identification of stocks of fish that aren't tagged. If you had 5 years of coded wire tag data and 5 years of GSI data, obviously GSI data is better. But if you were to consider the specificity of the stock specific estimates, how would you weigh 2 years of GSI data versus 5 years of coded wire data (presuming a 400 sample size in 1995)?

A (BARACCO): I don't know what the team would do in that situation. What I will say is that the base period information via coded wire tags in '86 - '90 is rather robust. We had good stock sizes, rather high levels of tagging, and relatively high confidence in this situation.

Q: How many years did we have troll fisheries in August in the KMZ.

A (BARACCO): I believe there were 4 years, I would have to check.

Discussion.

BOLEY: I feel that if we have GSI information, then it should be used. This isn't the forum to debate methods.

BARACCO: We use our experience base in analyzing these kinds of situations. We've learned that what someone thinks is going to work doesn't necessarily work.

BOYDSTUN: This is a technical detail that I don't believe this Council is prepared to resolve at this meeting. This item could be brought up for discussion at the STT meeting.

BITTS: Since the original formation of the first allocation agreement, one of the objectives of this Council (and its predecessor), has been to seek to develop target fisheries for non-Klamath stocks. Another objective has been to allow access to other kinds of stocks. The fishery in question is one of those target fisheries. It is being assessed as though it were a fishery over the whole area and it seems to me that the purposes of this Council and the purposes of the Salmon Technical Team are at odds here. I would greatly appreciate it if the Salmon Technical Team would acknowledge the purposes of this Council. The rest of the technical argument can be pursued elsewhere.

BOYDSTUN: Mr. Chairman, I object on procedural grounds, this item is not on the agenda. It is a diversion from the work of this Council and I urge this Council to proceed past this point.

BOLEY: I asked to have this issue placed on the agenda because this directly relates to the business of this Council which is coming to an agreement on 1995 season structure and harvest allocations.

MCISAAC: Yes, this item has been added to the agenda. I appreciate Alan's efforts to answer these kind of questions. We need to move forward and explore other options to get at the question of best scientific information. Note that the Salmon Technical Team did not come before the Pacific Council this

afternoon for questions of clarity, so we still have a good opportunity to influence further shaping of fisheries. I would like to hear the Council's ideas on shaping the season.

**** ACTION:**

MCISAAC: Let's add the topic of Klamath contribution rates to our agenda in October. The general kind of things that have been talked about here this evening are worth discussing again. If we discuss them prior to the management cycle, it might carry a little more weight.

BARACCO: If we had our druthers, we would collect this kind of data in many of the fisheries that we prosecute. GSI would be valuable in pursuing the May fishery that you are contemplating in the KMZ.

NEW AGENDA ITEM: Public comment.

JIM WELTER, Brookings: I wonder why we are still using this '86 to '90 data base period. That period has the largest abundance of Klamath fish in the last 25 to 30 years. We are ignoring the fact that during the last 4 years, the Klamath recreational fishery did not even get 50% of what was allocated in Klamath impacts. How many more years do we do this before there is a change? I would like to see this Council come to some kind of a consensus to send a recommendation to PFMC.

BOYDSTUN: I think that every so often, we have to stand back and take a little reality check. We have not achieved a 35,000 escapement floor for 5 years. Every time, we say preseason that we are going to meet the objective and yet every year when we get to decision time in April, we are still arguing about the last few fish. I agree that we have changed methodologies. So I think we are getting closer to being more accurate -- we have a better projection technique for both 4 year old and 3 year old fish. The ocean modelling is still not perfect. I think the best we can hope for is a 50% probability of getting 35,000 natural spawners.

BOLEY: These comments are correct. The one thing we haven't adjusted is that most of the fish have been taken in the SOC cell during the last 4 or 5 years. Those fisheries are still operating and are projected to operate this year just like they have in the past. If we are going to look to harvest opportunities to correct, that is where we should be looking.

BITTS: In absolute numbers, there are more Klamath fish taken in the SOC cell than there are in the other cells. Last year, Klamath fish were about 1 1/4% of all the fish caught in the ocean (including the SOC). If we are fishing average Klamath contribution rates for the whole ocean on the order of 1 1/4%

then how much more can we ask ocean fisheries to do in terms of meeting the floor, restoring the resource or whatever? What are the marginal benefit of further restrictions considering the rate you are catching Klamath fish in the ocean?

BOLEY: There have not been tremendous increases in Klamath impacts. The data presented by Jerry Barnes shows that the fishery exceeded its expected catch, but it is also true that that fishery fell short of its expected Klamath catch (as did other fisheries in the ocean last year). I am not trying to pit ocean fisheries against each other. Ocean fisheries are not the problem here. When we are fishing at a 1% overall contribution rate throughout the ocean, the problem with failing to meet the floor continues to be in the productivity of the river system.

WELTER: No, the methods used to predict the number of fish in the ocean is the problem.

FRED SCHUTT, Brookings: All my life, I have been raised that a hand shake and a word is good as anything you can put on paper. We sat down with you the other night, and we thought we were going to have some sort of an agreement over our fishing season, but now we are back to Option I. Our Option II has really just disappeared and our time on the water has changed.

DUNCAN MacLEAN, representative for California Troll in the SAS: I would like to remind everybody that the model, as flawed as it is, has been quite accurate in these low abundance years. The fisheries were modelled to attain a certain harvest rate. I think we did a pretty admirable job of almost hitting that harvest rate, yet we still fell short. In other words, we are modelling appropriately and conservatively. I think that we have done what we are supposed to do as managers.

Q (MCISAAC): How do you feel about the current season recommendation for troll fisheries south of the zone?

A (MacLEAN): I have a little bit of heartburn over these modifications. Our consideration of best overall utilization of the resource was invested in optimizing our opportunity on 4 year olds. We are sliding away from that rapidly in these modifications and we are having more impact on the 3s. It takes away from the fisheries in the south and there is very little in that benefit that I see in the north.

Q (WILKINSON): Do you support or not support the modifications?

A (MacLEAN): I do not support the modifications. The change that I recommend is to take 5 days away from the Coos Bay fishery in early August. This will not bring the fishery back to a 4 year old balance, but it does bring back 400 fish into the KMZ

sport. Oregon would still have a continuous fishery in the zone as well. The impacts on 4 year olds would go up a little bit. While the impact on 3s would go down just a little bit.

Break.

AGENDA ITEM #12: Develop additional recommendations for 1995 salmon harvest management.

MCISAAC: Are there any motions that the Council would like to consider at this time?

** MOTION: (WILKINSON): Include in the report to the PFMC the question: "When can we expect utilization of new data similar to that developed by the Rogue Fall fishery in '94?"

Seconded (Paul Kirk).

AGENDA ITEM #13: Council discussion.

WILKINSON: My intent is to elicit discussion on the floor of the full Council and let them decide what they are going to do with the issue.

BOLEY: If this motion passes, you should be prepared to explain what the fishery was, how it was sampled and the fact that in 1994, we did a full contribution rate (even though it was a limited area) and what the results were.

MCISAAC: Yes, if this motion passes, I would highlight the difference in the contribution rates, explain how the sampling is done and describe some of our discussion tonight to give the Pacific Council a summary of what we discussed.

Further discussion?

Call for the question: MOTION PASSES (2 abstentions - McCovey & Fletcher).

Are there any further motions from the Council?

BOYDSTUN: I think we can ask the Pacific Council to direct the STT to analyze this issue.

WILKINSON: We discussed these concerns at the Oregon caucus and we decided not to put it in the form of a motion. We wanted the Technical folks to do the things that they saw necessary to achieve the goals.

BOLEY: The issue regarding the Rogue River contribution and which one year of data we use has to be resolved before we make the decision on what to do if we keep the present contribution rate.

MCISAAC: I might speak in favor of this general recommendation. I don't know if it would be proper for us to make a motion on a very specific because who knows what might come out of the modelling.

** MOTION (BOYDSTUN): Ask the Salmon Technical Team to develop a regulation plan based on Attachment 4 (page two) (dated April 5, 1995 4:05 PM). This would modify the non-troll option for the area from Florence South Jetty to Cape Arago including the open season date for the August fishery. The quota would provide for an early KMZ sport fishery (May 17th through July 8th) of 10,900 chinook.

Seconded.

DISCUSSION.

Q (BOLEY): Is the intent to fix the KMZ recreational fishery at a 10,900 fish quota? Would that still equate to 17% harvest rate?

A (BOYDSTUN): I believe this would push it up to 17.5%.

Q (WILKINSON): Would it not be better to leave that liberty of flex within the SAS or the Tech Team to revisit what they might do in their skillful manipulations of fish and fisheries rather than limit them to working it backwards?

A (BOYDSTUN): You cannot believe how many ways you can achieve whatever it is you want to do by altering the figures put into the models. There are any number of ways to get 10,900 fish.

MCISAAC: We have just asked for a modelling run to be looked at. We would not say that we endorse whatever comes out of the modelling.

BITTS: I would endorse the sense of LB's motion without enchainning the modelers to a specific way of achieving it.

BOYDSTUN: If we pass this motion, it would allow the development of an option that goes over 17%. I am offering this in the spirit of trying to reach a compromise for a recommendation from this group. This document has everything that we have asked the STT to do. Individually, we may not like the number or the season structure that we see. There is only one variable here that is slightly out of kilter and that is the spawning escapement of 35,100 fish. We could increase harvest by 100 fish but then we wouldn't achieve 50/50 tribal/nontribal sharing. You can't get it all. This is as close as we can get.

WILKINSON: One thing that I would like to see addressed in this model is some explanation of how we might modify the KMZ troll fishery to be back up to the range of 2,000 fish. Right now, it is slightly over 1,500 fish.

BOLEY: We are 99.9% there as far as season structure in the ocean and we are not going to satisfy all of the parameters any closer than we have right now. My problem is I think there is an error in the data set we are using. Until we get the error resolved, I think it is premature to actually offer other alternatives and other modelling runs.

BOYDSTUN: I perceive that this motion is not going to pass, so with the approval of the second, I would like to withdraw it.

Second approves.

* ACTION: Motion is withdrawn.

** MOTION (MCISAAC): Recommend the PFMC consider the treatment of individual quotas or separate quotas in the Klamath zone sport fishery as conservative measures (as shown in Attachment 4). Specifically, this means separate quotas and the clause that if a quota is exceeded by more than 10%, the amount over 10% will be deducted from the August quota. This will be designed to help achieve the 35,000 natural spawners escapement floor.

Seconded (WILKINSON).

DISCUSSION.

Q (BOYDSTUN): Are you supporting the option the way it is written?

A (MCISAAC): I would like the PFMC to hear: 1) That we have 2 conservative forecasts, 2) we have driven the line through zero, and 3) we are recommending that there be separate treatment of the early & late recreational quotas. These 3 mechanisms should help achieve of the spawning escapement floor.

MCINNIS: I can go along with your statement about separate quotas but I cannot agree with the forecast being sufficiently more conservative than in the past. I object to that portion of the motion. Our Chairman tells us that we are within the range of the data seen in recent years, so we may well be making better forecasts. I am just not ready to characterize it as a conservative forecast.

BITTS: This is the first time the 4 year old regression has been forced through zero. That was done in acknowledgement of the over forecast of 4s in previous years and that it reduced the 4 year old forecast by 15,000-20,000 fish. This is twice the estimated percentage.

FLETCHER: I concur. I am not ready to say that we are doing a better job because: 1) We failed to meet the floor for the last 5 years, 2) There appears to be some questionable things that occurred in regards to counting "locked-out" Iron Gate Hatchery fish as natural spawners and 3) The discrepancy between last year's forecasts and the resultant harvest impact and escapement. I am not ready to say we are doing a better job. I do agree that taking the 4 year olds and forcing the line through zero is a step, but I am not ready to say we are doing a better job.

- Whatever happened in 1994 is independent of the 1995 forecasts. The 1994 percentage of natural hatchery fish is not the long term average of 74% that has been used during all of those years when the floor was not met. A lower number was used last year. We are now looking at a 5 year rolling average or something that is more conservative than used before. The 3 year old forecast is also conservative because the data point is not outside the data range.
- We are using more conservative predictors than what the statistics would indicate.
- The issue is the natural escapement versus the hatchery contribution.

BOYDSTUN: We all agree to being conservative in a historical context. In reality though it is not conservative management when we only have a 50% chance of hitting the floor. I could support this Council agreeing to the separate quota concept with the additional conservatism that anything in excess of the 10% over the earlier quota would come off the second quota.

Q: Could you re-state the motion?

** MOTION re-stated (MCISAAC): My interpretation is that, from a statistical perspective, we have more than a 50% chance of those forecasts coming in greater than the true values.

* AMENDMENT (BOYDSTUN): The motion should not include the word "conservative".

MCISAAC: The motion would then read, "...separate quotas (with the 10% tolerance levels) as something that should contribute to a better chance of achieving the floor this year".

DISCUSSION.

WILKINSON: Let's not try to use any other descriptors. In the report to the Pacific Council, you could point out that the KMZ recreational fishery was designed to prevent any significant overrun (e.g. it is constrained by days of the week and one fish bag limits).

MCISAAC: I am not clear on the recommendation that I would give tomorrow so I am going to withdraw the motion.

* ACTION: Motion withdrawn.

** MOTION (BOYDSTUN): Support the establishment of separate quotas for the KMZ sport fisheries with the provision for the deduction of any quota overage in excess of 10% of the early season quota from the late season quota.

Seconded (Wilkinson).

DISCUSSION.

Q: Is the obvious debatable?

A: No.

Call for the question: MOTION PASSES.

Is there any further business relative to the PFMC recommendations?

None.

NEW AGENDA ITEM: Trinity Reauthorization.

GROVER: I contacted the Chief of Fisheries for DFG and our FWS office in Weaverville. Relative to the contents of the existing funding arrangement and agreement between the Bureau of Reclamation (who funds the operation of Trinity River Hatchery) and the State (who operates it), the current statement of work does not include any hatchery evaluation measures (such as coded wire tagging, fin clipping or monitoring escapement). DFG indicated that their Inland Fisheries Division has typically provided all evaluation efforts under a separate funding program. In the last 5-8 years, this funding has been through the Trinity River Restoration program. The Bureau doesn't appear to be remiss in meeting a funding obligation. I found that DFG's Chief of Fisheries had written a letter to the Bureau of Reclamation pointing out the consequences of an un-funded monitoring and evaluation program on the Trinity River. (Letter signed by Director Boyd Gibbons in December). The State has not yet received a reply, but the Bureau is aware of the difficulties.

Q (MCINNIS): You said in the last 5-8 years that the DFG's Inland Fisheries Division had been marking, tracking, and evaluating the performance of the hatchery using Trinity River Restoration funds. Prior to that time, what was the source of funding?

GROVER: I don't know.

BOYDSTUN: The source of funds might have been from DFG preservation funds, Sport Fish Restoration Act dollars or Anadromous Fish Act money. Prior to Federal funding under the Trinity Restoration Act, the State had contributed some of the matching money.

GROVER: As far as reauthorizing legislation, there are no new changes. I have another bill today, (produced by Trinity County) with another set of numbers. This bill is similar to the version produced by the Administration. I also have a copy of a letter to Wally Herger and his response back - - basically saying that he couldn't support it. So, I imagine that the bill that comes

from Trinity County to Congressman Wally Herger is not going to get far either.

Q: Are there any standard practices that FWS applies to all of their nationwide hatcheries in regards to evaluating the success of the hatcheries or the impact of the hatcheries on naturally reproducing stocks? Perhaps FWS has a policy that we could pass along to Reclamation to direct them in what they ought to be doing for operating the Trinity Hatchery.

GROVER: The National Fish Hatchery System policy is to evaluate products (fish) that are released from the hatchery system. FWS builds in a complete package for hatchery operation in the 18 National Fish Hatcheries that includes salaries, lights, heat and phone, fish food, fish health services as well as evaluation of the hatchery products. The evaluation studies are up for review on an annual basis (e.g. disease impacts, impacts of timing and size of release, differences resulting from different rearing regimes, and ascertaining the impact of hatchery fish on naturally spawning wild fish). It is Service policy to include evaluation studies with any of our hatchery operations. This policy is in three places: 1) The FWS Fisheries Vision Document for this Region, 2) Guidance from our Washington office and 3) In the justification for our budget request for the Lower Snake River Compensation Plan. Incidentally, the current 5 year agreement between DFG and the Bureau of Reclamation is up for renewal for the operation of the Trinity River Hatchery this year.

Q (MCISAAC): Will that require writing a new contract?

A (GROVER): Yes, that is my understanding.

BOYDSTUN: I also spoke to several people about the status of the Trinity Program. The Supervisor of the Trinity Project says they are in a wind-down mode (e.g. 8 people will be relocated). Our temporary help at the hatchery is going to be reduced by 10% and no field work is scheduled. We need a contract in hand and it has to be of at least a year's duration to even be meaningful. In

November, people will be gone. Unless you have got some organized means of retrieving the coded wire tags that are already in fish out in the ocean, and evaluating the information that they contain we will lose part of an investment.

BARNES: We ran the harvest rate model a few days ago to see what the optimal production from the Trinity River and the Klamath River would be (attachment 5). The 3rd set of numbers show the age 3 stock status to be 540,000 fish and 160,000 age 4 fish. That is the average stock size for '86, '87 and '88 (i.e. the highest stock sizes on record). These are the numbers we used as a surrogate for what a restored fishery would look like. To balance it with the current guidance for 50/50 sharing on a fish for a fish basis, the ocean harvest rate was set at .18 and the terminal harvest rate was set at .68. The long term rate is about .2 and .67 but the slightly different figures of .18/168 are used to balance tribal and nontribal harvests (118,100 fish for each). The in-river recreational harvest rate is 12% for 14,000 fish. The KMZ recreational fishery would be approximately 20,000 fish at 17% harvest rate. There would be a significant number of fish available to harvest at these high population levels. If you would like to see what the harvest would be for the individual user groups, you'd have to go the Klamath ocean harvest model and develop specific season scenarios.

MCISAAC: Does the Council feel comfortable giving the results of this model run to Mr. Kevin Wolf?

Q (BOYDSTUN): Would hatchery production be in addition to what we see here?

A (BARNES): No, this count of ocean stocks includes the hatchery production. At the bottom of the page, it shows .75 as the proportion of spawners that are spawning in natural areas. That was used as the average hatchery/natural ratio in '86-'87. Adult ocean harvest is a combination of hatchery and natural fish. You have got roughly 33,000 hatchery spawners.

Q (BITTS): Why does this model consistently generate ocean landings for 4s and 5s that are higher than contacts?

A (BARNES): I'll get the answer to that later.

MCISAAC: I would suggest that Jerry and the rest of the TAT get peer review of this model. As Chairman of that group, you can use your discretion in providing this model (as a preliminary estimate) to Mr. Wolf and anyone else on the Council who would like to use it.

BARNES: I want specific direction on this issue before I act on it.

** MOTION (MCCOVEY): In recognition of past and future contributions to fisheries, the KFMC fully supports the reauthorization of the Trinity River Fish and Wildlife Restoration Program as currently recommended (e.g. the Administration version of the Bill -- Agendum #18 to the March minutes). The KFMC acknowledges that restoration of the Trinity River is essential to restoring viable commercial recreational and Tribal fisheries.

Seconded (Fletcher).

DISCUSSION.

Q (WILKINSON): How is that going to differ from the last letter that we wrote in support of reauthorization?

A (MCCOVEY): This would be a little more specific. I think things have changed since the last time we wrote a letter.

BOYDSTUN: Are you referring to the proposed reauthorization that was attached to the minutes of the last meeting? I need to see what it is that we are voting on here. Who would you address the letter to?

A (MCCOVEY): I would think that we need to send it to our congressional people.

BOYDSTUN: I cannot vote in favor of this particular document. It may be able to be amended, but it says in here that the State can provide in-kind matches to Federal expenditures, and I am not in any position to commit the Department of Fish and Game to any kind of in-kind matches. I could vote in favor of this Council's supporting restoration of the Trinity River to its previous condition, but I just cannot vote in favor of the vehicle that I have here.

FLETCHER: We have done a lot of work over the last several months to try to get funding for restoration and/or monitoring. The Bill that the Administration has provided starts us going in the right direction. We need to get it in the works to be considered, so that is why we are presenting this now.

BITTS: Is this Council free to vote to support a specific piece of legislation rather than a concept or a goal? Does that constitute lobbying?

GROVER: This Council is chartered under FACA. The Klamath Restoration Act established this Council to provide advice, policy and guidance. I am not sure that we have any handcuffs, but I may be wrong.

FLETCHER: The Task Force has supported legislation so I think it should be okay if this Council supports the Trinity Restoration.

MCINNIS: I would be concerned if we were writing this letter to Congress or to a Congressional delegation, but if this goes to some member of the Administration, such as the Secretary of Interior, then there is no problem. The Secretary of Interior is already on record for supporting reauthorization. He has done his part to draft, review and check it for legal sufficiency. Now he has sent it over to the Hill. It is not going anywhere further unless Mr. Riggs gets behind it.

FLETCHER: The main intent of the motion is to reaffirm the commitment of this group to the restoration of the Trinity River.

MCISAAC: {Reread the motion}: This is a statement of support. It is not addressed to anybody, but presumably it would help carry the bill along if the motion passes.

MCOVEY: We could change the wording of the motion to say we support the recommendations of the Trinity River Task Force instead of saying "Administration's version of the bill". The language "in-kind contributions" is already a concession to the State of California. It means they don't have to put up cash, but they can send out a biologist or equipment or some other way to contribute.

BITTS: I am in a position of not being able to support either the Administration Bill or any Bill reauthorizing the Trinity Task Force unless contained in that Bill is language that satisfies me that the commercial fishery on the North Coast (North of Point Area and south of Coos Bay) will also be restored. Earlier today, I presented the members of the Allocation Work Group draft of intent language aimed at achieving that goal. I haven't heard back from them yet. If the concept is received favorably, then we can proceed and work out the details.

MCISAAC: I will limit discussion to 2 more comments.

FLETCHER: The troller's version of the draft legislation was not received very favorably by the Tribes. That is why we have put this issue on the table now. We think it is time to move forward. We don't have any more time to waste and that is why it was important that we looked at the Tech Team's model.

MCCOVEY: The allocation issue is something that we are still trying to work on. I don't know if putting constraints on the Bill is appropriate. I think that they are 2 different issues.

MCISAAC: Roll call vote:

BITTS: No
BOLEY: Abstain
BOSTWICK: Abstain
BOYDSTUN: No
FLETCHER: Yes
MCCOVEY: Yes
GROVER: Yes
MCINNIS: Yes
KIRK: Yes
WILKINSON: Yes.

MCISAAC: The motion fails.

** MOTION (MCCOVEY): "In recognition of past and future contributions to fisheries, the KFMC acknowledges that restoration of the Trinity River is essential to restoring viable commercial, recreational, and Tribal Fisheries.

FLETCHER: Second.

DISCUSSION.

Q: What is the function of the first clause in this motion?

A (MCCOVEY): The intent of the first part of the motion is recognition that we have all (in the past) lived off of this resource and we will continue (in the future) to live off this resource. So this means contributions by the Trinity River fisheries.

MCISAAC: Further discussion?

Call for the question.

** Consensus. **

** MOTION (GROVER): The Klamath Council requests in a letter to the Interior (i.e. Reclamation) that we are seeking funding for continuing the monitoring part of the Trinity Restoration Program. The tone of the letter should be encouraging. This loss of funding for monitoring the fishery is a genuine difficulty for a very important program. The letter should be addressed to the Secretary of Interior. Commissioner Dan Beard and Roger Patterson, Regional Director will get copies.

Seconded.

MCISAAC: I am not sure if those are the only people who ought to get the letter. I would also suggest that it include the attachment that the Tech Team gave us showing the \$485,000 in funding needed on an annual basis.

BOYDSTUN: I think we had better pull what we have already written and look at it before we vote on sending another letter out.

MCISAAC: I would be in support of another letter, even if it is somewhat redundant, because it could add new information. The letter that LB drafted and we had you send was directed to the Bureau of Reclamation. As I understand Jerry's motion, this new letter would go to the Secretary of the Interior. I'd be glad to work with Jerry Grover, as the primary author, to try to get such a letter out. Perhaps the Yuroks could send another letter.

MCISAAC: Further discussion?

Call for the question.

** Consensus. **

AGENDA ITEM #16: Identify Agenda Items and confirm date and location of next meeting.

MCISAAC: Our next meeting is scheduled for October 11th-13th in Yreka, California. We trust staff to identify agenda items relative to discussions we have had at past Fall meetings and pertinent to meeting in that location at that time.

WILKINSON: One of the justifications for the Yreka meeting is to touch base with the CRMPs and see local resource issues. Staff is going to put together a tour to look at some of the systems there (e.g. Shasta River, Scott River and possibly meetings with representatives of the Shasta CRMP and Scott Valley CRMP. Please try to set aside enough time to participate in those tours or indicate to the staff whether or not you will participate during that 3 day span.

BOYDSTUN: Depending upon what we hear tomorrow from the Pacific Council, with regard to the contribution rate and the data analysis, would this Council consider meeting again later this week to consider some other option?

WILKINSON: I was just going to speak in support of meeting again this week because I desperately want to offer something to the PFMC.

BITTS: There might be some utility to meeting again to look at the data on the proper contribution rate for the August Rogue River fishery.

Q (MCISAAC): Could we have an impromptu meeting to look at this technical issue?

A (GROVER): If it is a technical meeting, then I think the answer is yes. We could essentially recess this meeting until a specified time tomorrow at which time we would reconvene.

MCISAAC: If the Council would like to authorize the possibility of impromptu meeting, we would call for a quorum to meet and restrict our advice on the nonIndian options within the constraints of the 50/50 and other motions we have already made. If we don't have a quorum, we would not have such a meeting. If we do have a quorum, we could meet and then maybe offer some advice.

** MOTION (WILKINSON): Move to recess.

SECONDED.

Meeting adjourned.

KLAMATH FISHERY MANAGEMENT COUNCIL MEETING
April 2-5, 1995, Eureka, California

Klamath Fishery Management Council members present:

Dave Bitts	California Commercial Salmon Fishing Industry
Scott Boley	Pacific Fishery Management Council
L.B. Boydston (for Al Petrovich)	California Department of Fish and Game
Virginia Bostwick	California In-River Sport Fishing Community
Troy Fletcher (Dale Webster, alternate)	Non-Hoopa Indians Residing in the Klamath Conservation Area
Jerry Grover	U.S Department of Interior
Paul Kirk (for Bob Hayden)	California Offshore Recreational Fishing Industry
Pliny McCovey	Hoopa Indian Tribe
Donald McIssac	Oregon Department of Fish and Wildlife
Rod McInnis (for E. C. Fullerton)	National Marine Fisheries Service
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Attendees:

Judy Cunningham	Klamath Coalition
Jeff Felder	Salmon Advisory Sub-panel
Ron Iverson	U.S. Fish and Wildlife Service, Klamath River FWO
Robert Jones	Klamath Coalition
George Kautsky	Hoopa Valley Tribe
Mike Lane	Oregon Trout
Bill Long	California Department of Fish and Game
Duncan MacLean	Cal-Trout
Rolf Mall	California Department of Fish and Game
Mike Orcutt	Hoopa Valley Tribe
Tricia Parker	U.S. Fish and Wildlife Service, Klamath River FWO
Fred Schutt	Klamath Coalition
Jim Welter	Klamath Coalition
Bev Wesemann	U.S. Fish and Wildlife Service, Klamath River FWO
Kevin Wolf	Friends of the Trinity River

FINAL AGENDA

Klamath Fishery Management Council
April 2, 1995 and April 5, 1995
Columbia River Red Lion Inn, Portland, OR

Sunday, April 2: Rogue Room

3:00 pm Convene. Introductions. Review of background materials (staff).

1. Elect vice-chair
2. Review KFMC harvest allocation recommendations from the March 1-2 meeting.
3. Report from the HAWG (Wilkinson).
4. Develop additional recommendations for 1995 salmon harvest management. Present fishery shaping recommendations (ODFW, CDFG, etc.).
5. Council discussion.
6. Public comment period.
7. Council action.
8. Report from TAT on monitoring needs for the Trinity River (Barnes).
9. Announcement of Harvest Allocation Work Group meetings prior to Klamath Council meeting on April 5. (Wilkinson)
10. Identification of agenda items for April 5 meeting.

5pm RECESS

Klamath Fishery Management Council
FINAL AGENDA
(Continued)

Wednesday, April 5: Klamath Room

7:00 pm Reconvene.

11. Report from the Harvest Allocation Work Group (Wilkinson)
12. Develop additional recommendations for 1995 salmon harvest management.
13. Council discussion.
14. Public comment.
15. Action: Forward additional recommendations for 1995 salmon harvest management to the Pacific Council.
16. Identify agenda items, and confirm date and location of next meeting.

8:00 pm ADJOURN

March 30, 1995

To: Dr. Don McIsaac, Chairman, Klamath Fishery Management Council

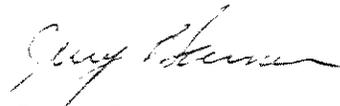
From: Jerry Barnes, Klamath River Technical Advisory Team

Subject: Population monitoring for the Trinity River

The Council has expressed concern that the current monitoring program for fall chinook in the Trinity River may not be done by California Department of Fish and Game (CDFG) in 1995, because of a potential lack of funding from the Trinity River restoration program. The KFMC has requested that the Technical Team assess the extent and cost of continuing the fall chinook monitoring in the Trinity River, in order to seek alternate funding. The Council has been previously assured by CDFG that the monitoring program for the Klamath portion of the basin will continue, irrespective of Trinity funding.

The Team has consulted with Mark Zuspan and Paul Hubbell (CDFG) who have prepared the attached summary and costs of the necessary portion of the Trinity program, which totals \$485,512. The essentials of this program have been operated since 1978 and primarily funded by the Trinity restoration program for the past 9 years. The major cost for the monitoring effort is the fixed cost for permanent personnel (\$283,000) needed to supervise field operations, analyze data, and prepare reports. The spring chinook assessment program is included because it is necessary for separating spring from fall chinook at the hatchery. It also yields an independent estimate of the fall chinook population. The current assessment program for coho salmon and steelhead has been included, because of the relatively low cost (\$28,200) of adding it to the chinook program.

I will be available at the April 2 meeting to answer any questions that the Council may have.



Jerry Barnes
Chairman, Klamath River Technical Advisory Team

Coded-wire Tagging (CWT) spring and fall Trinity River Hatchery Chinook:

Item	\$ Cost	Description	Function
Coded-wire tags (CWTs)	43,000	600,000 CWTs	Tag 200,000 each fingerlings and 100,000 each yearling spring and fall chinook. Analysis of adult returns is used to evaluate hatchery effectiveness, determine the numbers of spring and fall chinook entering the hatchery (for producing run-size estimates) and performing cohort reconstruction needed for estimating ocean populations and resulting harvest allocations.
Operating expenses	21,000	Seasonal aid time and operating expenses.	Supports the coded-wire tagging operations.
Totals:	64,000		

Coho salmon run-size, harvest, and spawner escapement, and hatchery evaluation:

Item	\$ Cost	Description	Function
Weir operations	7,800	Extend weir trapping seasons two to three weeks. Includes seasonal aid time and operating expenses.	Trap and tag coho salmon migrating after fall chinook migration is complete.
TRH recovery	3,500	Extend recovery at TRH one month (through December)	Recover tagged and untagged coho entering TRH through their spawning period.
CWT operations	10,400	CWT 50,000 coho. Costs include seasonal aid time and operating expenses.	Evaluation of TRH coho program. Recovery of CWTs included in TRH recovery above.
Totals:	21,700		

Fall steelhead run-size, harvest, and spawner escapement, and hatchery evaluation:

Item	\$ Cost	Description	Function
Weir operations	4,400	Extend weir trapping seasons one to two weeks. Includes seasonal aid time and operating expenses.	Trap and tag steelhead migrating after coho migration is complete.
TRH recovery	2,100	Extend recovery at TRH three month (January-March).	Recover tagged and untagged steelhead entering TRH through their spawning period. Collect data needed to evaluate steelhead production at TRH.
Totals:	6,500		

Grand Total (all components)	485,512
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DRAFT

Department of Fish and Game cost estimates for continuation of Trinity River salmon and steelhead monitoring. Federal Fiscal 95-96 (October 1, 1995 - September 31, 1996)

Fixed Costs:

Item	Cost	Description	Function
Personnel	248,552	3 Biologists and 1 technical position.	Supervise all field operations and maintain field equipment. Edit, validate, analyze, and make timely reports detailing salmon and steelhead runs in the Trinity River basin.
Office costs	24,000	Shared office expenses based on proportioning costs between three projects.	Provide general office support.
Vehicle operations	2,160	Vehicle Insurance	Insurance for project vehicles (3 at \$60/month)
Per-diem	8,000	Personnel training and development, conference attendance, inter- and intra-departmental and agency meetings.	Maintain / develop professional skills, maintain coordination within and between departments and agencies.
Total:	282,712		

Spring and fall chinook run-size, spawner escapement and harvest estimates:

Item	\$ Cost	Description	Function
Junction City Weir (JCW)	53,000	JCW to operate mid-May through mid-November. Costs include seasonal aid time and operating expenses.	JCW is used to trap and tag adult migrating spring chinook. It also is used to make independent fall chinook estimates. Scales are collected and forwarded to U.S.F.W.S. for age analysis
Willow Creek Weir (WCW)	43,000	WCW to operate mid-August through mid-November. Costs include seasonal aid time and operating expenses.	WCW is used to trap and tag adult migrating fall chinook. Scales are collected and forwarded to U.S.F.W.S. for age analysis
Trinity River Hatchery (TRH) recovery	14,600	TRH recovery to operate September through November. Costs include seasonal aid time and operating expenses.	Tagged and untagged chinook are noted and biological data collected. Heads from coded-wire tagged fish are collected for use in determining the numbers of spring and fall chinook entering TRH. This activity is also a necessary component of the coded-wire tagging operations below. Scales are collected and forwarded to U.S.F.W.S. for age analysis
Totals:	110,600		

HARVEST RATE MODEL(DEVELOPED BY USFWS, ARCATA)

DATE: 3-7-95
TIME: 08:07 AM

OCEAN ADULT HARVEST	13,500		
INRIVER ADULT HARVEST	17,200		
TRIBAL ADULT HARVEST	15,300		0.893
NON-TRIBAL ADULT HARVEST	15,300		
INRIVER REC. ADULT HARVEST	1,800		
NAT SPAWNING ESCAPEMENT	35,000		
		RIVER REC SHARE OF	
		NON-TRIBAL HARV	0.120

AGE	OSC	PERCENT LEGAL	SHAKER MORT	PERCENT MATURING	NATURAL MORT	OCEAN HARVEST RATE	TERMINAL HARVEST RATE
3	0.88	80.0%	0.25	33.7%	0.20	0.10	0.32
4	1.00	100.0%	0.00	93.6%	0.20	0.10	0.32
5	1.00	100.0%	0.00	100.0%	0.20	0.10	0.32

AGE	STOCK STATUS	PREV FALL	POTENTIAL CONTACTS	CONTACTS	OCEAN LANDINGS	SHAKER DEATHS	OCEAN IMPACTS
3	134500	0	118360	11789	9431	599	10030
4	37600	175	37425	3728	3903	0	3903
5	1600	5	1595	159	164	0	164
SUM		180			13497		14096

AGE	REMAIN POP	ADULT RIVER RUN SIZE	RIVER CONTACT RATE	RIVER IMPACT RATE	RIVER DROPOFF RATE	RIVER IMPACTS	RIVER HARVEST
3	124470	41996	0.59	0.19	0.074	7949	7364
4	33697	31551	1.00	0.32	0.074	10122	9377
5	1436	1436	1.00	0.32	0.074	461	427
SUM	159604	74983				18531	17167

AGE	SPAWNING ESCAPE.	PROP IN NAT AREAS	NATURAL ESCAPE.	ADULT ESCAPEMENT	ADULT NAT ESCAPE.
3	34048	0.62	21109		56452
4	21429	0.62	13286		35000
5	975	0.62	605		
SUM	56452		35000		

KLAMATH OCEAN HARVEST MODEL:
 EXPLOITATION RATE
 USING 86-90 BASE PERIOD

VERSION: 95_0
 DATE: 4-5-95
 TIME: 04:05 PM

EXPLOITATION RATE CHANGE FROM BASE PERIOD: a(.jk)

	FALL-94	MAY-95	JUNE-95	JULY-95	AUG-95	
NOR	1.000	1.200	0.600	0.000	0.187	
CSB	1.000	0.400	0.400	0.000	0.116	50%
KMZ-T	1.000	0.399	0.000	0.086	0.180	2284
KMZ-S	1.000	2.030	0.630	0.200	0.194	16.93%
FTB	1.000	0.030	0.030	0.000	0.030	
SOC	1.000	0.451	0.405	0.566	0.460	

1995 APRIL

KLAMATH ADULT OCEAN LANDINGS	13500	13496
KLAMATH INRIVER HARVEST IMPACTS	18500	18531
KLAMATH TOTAL SPAWNING ESCAPEMENT	56700	56673
KLAMATH NATURAL SPAWNING ESCAPEMENT	35100	35137
AGE 4 KLAMATH HARVEST RATE	9%	9.495%

KLAMATH LANDINGS - ESTIMATES: L(ijk)

AGE 3	FALL-94	MAY-95	JUNE-95	JULY-95	AUG-95	TOTAL	
NOR	0	10	30	0	180	220	
CSB	0	170	390	0	1840	2400	
KMZ-T	0	50	0	110	350	510	
KMZ-S	0	520	940	370	100	1930	
FTB	0	50	150	0	40	240	
SOC	0	720	1890	1650	210	4470	
AGE3 TOT	0	1520	3400	2130	2720	9770	
AGE 4	FALL-94	MAY-95	JUNE-95	JULY-95	AUG-95	TOTAL	
NOR	0	60	60	0	30	150	
CSB	40	340	370	0	380	1090	1520
KMZ-T	0	60	0	70	150	280	
KMZ-S	30	40	130	120	50	340	340
FTB	0	30	70	0	10	110	
SOC	100	350	690	350	40	1430	1540
AGE4 TOT	170	880	1320	540	660	3570	0.041

CATCH PROJECTIONS BASED ON EXPLOITATION RATE SHIFTS

	FALL-94	MAY-95	JUNE-95	JULY-95	AUG-95	95 TOT
NOR	5000					
CSB	2100					
KMZ-T	1000	1000	0	500	1562	3062
KMZ-S	1600	1800	5900	2761	898	11359
FTB	4900					
SOC	6300					
TOTAL	20900					

TABLE 2. Tentative recreational option proposed for 1995 ocean salmon fisheries. (Page 2 of 4)

A. SEASONS (shaded areas are closed)

FEB/MAR/APR	MAY	JUNE	JULY	AUGUST	SEPT/OCT/NOV
HUMBUG MT. 42°40'30" N. lat. HUMBUG MT. 42°40'30" N. lat.					
	5/17 thru earlier of 7/8 or 40,000 chinook quota (D.2.). Open Wed. thru Sat. only. All salmon except coho. 1 fish per day. If quota exceeded by more than 10%, the amount over 10% will be deducted from the August quota.			8/16 thru earlier of 8/31 or 9/10 chinook quota (D.2.). Open Wed. thru Sat. only. All salmon except coho. 1 fish per day. No more than 6 fish in Control Zone 2, Klamath River mouth, is closed (C.4).	9/1 thru 9/9. All salmon except coho. 1 fish per day. No more than 6 fish in 7 consecutive days.
HORSE MT. 40°05'00" N. lat. HORSE MT. 40°05'00" N. lat.					
	2/18 thru 4/30. All salmon. 2 fish per day. 5/1 thru 6/30. All salmon except coho. 2 fish per day. In 1996, opening of the season thru 4/30 will be all salmon except coho. 2 fish per day.			8/1 thru 11/12. All salmon except coho. 2 fish per day.	
PT. ARENA 38°57'30" N. lat. PT. ARENA 38°57'30" N. lat.					
	3/4 thru 4/30. All salmon. 2 fish per day. 5/1 thru to 10/29 (nearest Sun. to 11/1). All salmon except coho. 2 fish per day. In 1996, the season will open 3/2 (nearest Sat. to 3/1) thru 4/30 for all salmon with a bag limit of 2 fish per day, unless an evaluation after the first of the year indicates low coho abundance and inseason action is necessary to prohibit retention of coho. In 1996, Control Zone 3, near the mouth of San Francisco Bay, will be closed from 3/2 thru 3/31 (C.5).				

U.S.-MEXICO BORDER

- Key Management Items
1. Total allowable harvest for non-Indian fisheries north of Cape Falcon of 0 chinook and 75,000 coho. Recreational TACs of 0 chinook and 56,250 coho.
 2. Assumes Area 4B add-on fishery for all salmon except chinook and coho to open the day after ocean closes until Sept. 4; and Buoy 10 fishery of 20,000 coho in August and 10,000 coho in September. +A.C.O. egg
 3. Provides an agreed upon 80/20 percent split of the coho quota for Neah Bay/La Push subarea.
 4. Ocean exploitation rate on age-4 Klamath River fall chinook of 10 percent; 17 percent of Klamath River fall chinook impacts to KMZ recreational fishery.
 5. Based on equal sharing of Klamath River fall chinook harvest between federally recognized Klamath Indian tribes and non-Indian fishers (15,300 fish each).
 6. Assumes a 12/88 percent split of Klamath River fall chinook non-Indian catch between the Klamath River recreational fishery and all ocean fisheries.
 7. Total marine and freshwater incidental harvest on OCN coho to be less than or equal to 20 percent.
 8. Emergency rule required to provide closure of the coho fishery south of Point Arena.

TABLE 1. Tentative, non-Indian troll option proposed for 1995 ocean salmon fisheries. (Page 2 of 4)

04/05/95 (10:16am)

A. SEASONS (shaded areas are closed)

MAY	JUNE	JULY	AUGUST	SEPT/OCT			
HUMBURG MT. 42°40'30" N. lat.							
SISTERS ROCKS 42°35'45" N. lat.							
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> 5/1 thru earlier of 5/31 or 1,000 chinook quota. All salmon except coho. Open 0-6 nautical miles from shore. No more than 4 spreads per line. See D.2. </td> <td style="width: 50%;"> 7/24 thru earliest of 8/31 or 2,500 chinook quota. All salmon except coho. Open 0-4 nautical miles from shore. No more than 4 spreads per line. See D.3. </td> </tr> </table>						5/1 thru earlier of 5/31 or 1,000 chinook quota. All salmon except coho. Open 0-6 nautical miles from shore. No more than 4 spreads per line. See D.2.	7/24 thru earliest of 8/31 or 2,500 chinook quota. All salmon except coho. Open 0-4 nautical miles from shore. No more than 4 spreads per line. See D.3.
5/1 thru earlier of 5/31 or 1,000 chinook quota. All salmon except coho. Open 0-6 nautical miles from shore. No more than 4 spreads per line. See D.2.	7/24 thru earliest of 8/31 or 2,500 chinook quota. All salmon except coho. Open 0-4 nautical miles from shore. No more than 4 spreads per line. See D.3.						
HOUSE ROCK 42°06'32" N. lat.							
HORSE MT. 40°05'00" N. lat.							
PT. ARENA 38°57'30" N. lat.							
PT. ARENA 38°57'30" N. lat.							
PT. REYES 37°59'44" N. lat.							
PT. SAN PEDRO 37°35'40" N. lat.							
PT. SAN PEDRO 37°35'40" N. lat.							
U.S.-MEXICO BORDER							

Gold Beach

Brookings
Crescent City
Eureka

Shelter Cove

Fort Bragg

Boodega Bay

San Francisco

Hall Moon Bay

Monterey

U.S.-MEXICO BORDER

HARVEST RATE MODEL(DEVELOPED BY USFWS, ARCATA)

DATE: 4-3-95

TIME: 10:59 AM

OCEAN ADULT HARVEST	104,000		
INRIVER ADULT HARVEST	132,300		
TRIBAL ADULT HARVEST	118,100		0.893
NON-TRIBAL ADULT HARVEST	118,100	RIVER REC SHARE OF	
INRIVER REC. ADULT HARVEST	14,200	NON-TRIBAL HARV	0.120
NAT SPAWNING ESCAPEMENT	99,500		

AGE	OSC	PERCENT LEGAL	SHAKER MORT	PERCENT MATURING	NATURAL MORT	OCEAN HARVEST RATE	TERMINAL HARVEST RATE
3	0.88	80.0%	0.25	33.7%	0.20	0.18	0.68
4	1.00	100.0%	0.00	93.6%	0.20	0.18	0.68
5	1.00	100.0%	0.00	100.0%	0.20	0.18	0.68

AGE	STOCK STATUS	PREV FALL	POTENTIAL CONTACTS	CONTACTS	OCEAN LANDINGS	SHAKER DEATHS	OCEAN IMPACTS
3	540000	700	474584	85615	69192	4171	73363
4	160000	7000	153000	27601	34601	0	34601
5	800	50	750	135	185	0	185
SUM		7750			103978		108150

AGE	REMAIN POP	ADULT RIVER RUN SIZE	RIVER CONTACT RATE	RIVER IMPACT RATE	RIVER DROPOFF RATE	RIVER IMPACTS	RIVER HARVEST
3	466637	157443	0.59	0.40	0.074	62888	58260
4	125399	117411	1.00	0.68	0.074	79487	73639
5	615	615	1.00	0.68	0.074	416	386
SUM	592650	275469				142791	132284

AGE	SPAWNING ESCAPE.	PROP IN NAT AREAS	NATURAL ESCAPE.	ADULT ESCAPEMENT	ADULT NAT ESCAPE.
3	94556	0.75	70917		132678
4	37924	0.75	28443		99508
5	199	0.75	149		
SUM	132678		99508		