

DRAFT MINUTES
Klamath Fishery Management Council
4-5 April 1994
Crown Sterling Hotel and Crown Plaza Hotel, Burlingame CA

Monday, April 4

3:05 pm The meeting was called to order by Chair McIsaac with a quorum of members present (Attachment 1). Later this week this Council will meet at the Crown Plaza Hotel.

Discussion of potential agenda items:

o California Department of Fish and Game (CDFG) has prepared a draft letter that will soon be sent to Pacific Power regarding the search for water in the Iron Gate Hatchery area. Also, CDFG will soon be contacting the Karuk Tribe regarding fishing rights, then we will report to the Council.

o The Hoopa Tribe still wants ocean numbers added to the megatable. Reformatting can occur at a later date.

o Oregon Wild Fish Policy could be presented at a joint meeting of the Task Force and Council.

o If we have time, we will begin to draft the response to the Shasta CRMP letter from Blair Hart (Handout A).

1. Review KFMC harvest allocation recommendations from the March 7-8 meeting.

Report B.5 to the PFMC (Handout B) is the recommendation as it now stands.

2. Develop additional recommendations for 1994 salmon harvest management. Present fishery shaping recommendations.

We need to have single options identified, shaped and ready for final approval on Friday.

Boley: Handout C is my proposal for KMZ ocean fisheries (recreational and troll fisheries). It is different from the PFMC options. The August recreational fishery is designed to avoid coho impacts. Any unused quota could be rolled into the troll fishery and added into the troll fishery number. The troll fishery shown here is only in the Rogue River area. The rollover provision provides assurance of recreational fishing opportunity. The back of Handout C has the recreational data. The bag limit

in June was reduced in order to reduce coho impacts. The proposal is designed to give KMZ fisheries their traditional share (16.8%) of ocean harvest of Klamath chinook.

Q: Why do you indicate that June is the critical month? I understood that August is the critical month.

A: Modeling a 2 fish bag limit in this area in June is going to show a much higher Oregon coastal natural impact than at other times.

Q: How would rollover work?

A: If the recreational fishery didn't meet its quota, then the fish are rolled over to the troll fishery. It doesn't mean that the trollers are entitled to a certain amount.

Q: Is it consistent with harvest rate management?

A: Sport and troll fisheries in the KMZ have different Klamath chinook harvest rates, so catch numbers would have to be juggled to keep Klamath impacts acceptable.

Q: If we could move these quotas, would it be considered an entitlement? All the uncaught fish are being given to one fishery.

A: We basically look at needs in different areas. On your previous point, the team would have to have the information available so that the Klamath impacts would not change. This would be a better system for the Klamath fishery to use in the long term.

Q: Because we have been so disrupted recently, fishing pressure is not adequately represented in a table that only goes back to '86. What were the numbers before '86?

A: Historically, the month of May is low catch per unit effort (CPUE) and effort.

Q: I am concerned that projections and catches be matched up. I am not convinced that a season ending July 1 will give us enough time to get 16.7% of the total ocean Klamath impacts. Would it be possible to extend that season until after the July 4 weekend? Would it make much difference in the coho impacts?

A: From the middle of June until the middle of August, about 75% of the coho harvest is taken. Extending the season until July 4 would have a major impact on coho even if it was only 1 fish/day (because they are more coho than chinook at that time). For example, in '90 1,400 coho were caught in May and 1,600 were caught in June.

McIsaac: I view it as a "within year entitlement." Ocean harvest rate last year was supposed to be 14%, but it was only 9%. This proposal allows the ocean fishery a better chance to get its quota.

3. Council discussion.

- o In-river sport interests have sent a letter out to the state requesting that, if the troll fishery doesn't meet its quota, then a percentage of that could be given to the in-river recreational fishery.
- o One concern is that catch in the recreational fishery is harder to accurately estimate mid season.
- o Sport quota could be adjusted downward.
- o It is important that the total Klamath impact is not increased when fish are rolled from recreational to troll fishery.
- o In order to conserve the fish, if Klamath impacts from one fishery go up, then the other must go down. If you manage for a rollover to troll, the sport quota must be reduced to keep total impact constant. So, to protect the sport fishery, the Salmon Technical Team (STT) should model a conservative rollover.
- o In practice, for a recreational fishery to have 3 periods of essentially one fish per day, there should be a way to change the season mid season.

Q: Are you saying that recreational fisheries may not be able to meet their quota? If this is known to be the case preseason, then why are we not correcting it now?

A: So much of it depends on elements such as weather, the number of trips people make, etc.

- o If we approve it now, this option would at least be in the books for PFMC to consider. Otherwise, we don't have any options to forward for consideration.

Shake: I intend to make a motion for the Klamath Council to forward this proposal to the Pacific Council for discussion (specifically as shown in Handout C). Later, the Technical Team could model this.

Q: Is part of this motion the 12,000 quota?

A: Whatever the number is supposed to be.

Q: The proposal locks the Klamath Council into certain dates. Do you want this to remain intact?

A: Yes. It is my intent to be specific on the dates as shown on Boley's handout.

- o I suggest that the proposal is modified to be "One fish/day in May, to simplify enforcement."
- o Boley: I prefer two fish/day because it will encourage more people to come fish and it may help to get more trips scheduled at a time when coho impacts are low.

Q: What is meant when it says that landing restrictions apply?

A: Limit the number of landings or the number of times that a boat comes to a port.

Break

Discussion (continued)

Q: When is the in-river recreational peak period?

A: We see a lot of people between the 15-20 of August, but the bulk of the run is Labor Day. By then, the ocean recreational season is over so a rollover to the in-river fishery could keep us on the water another week or week-and-a-half.

Q: Is CDFG considering options that would stretch that fishery out in time?

A: At this time, I do not have an answer (Bostwick).

- o We would need to see the Technical Team's analysis of rolling over any excess fish in the ocean to the in-river recreational fishery.
- o Supporting Shake's motion now doesn't prevent individuals from agreeing to changes during the PFMC process. Modification of this proposal could occur tomorrow if we feel it has merit.

Q: What assurance would we have in the zone that the ocean recreational numbers would not be ratcheted down by PFMC, later this week? We have seen in past year's that the ocean number is ratcheted down.

A: We do not know what the PFMC would do. We do know that this Council could give their best recommendation.

- o The final impact shouldn't change from 16.8%, although the final number may change a little bit.
- o It looks like the coho constraint on the KMZ sport fishery is stronger than the Klamath constraint.
- o I don't want to see fish left on the table because the sport quota was unrealistically high.
- o In agreements between Indian and Non-Indian harvesters on the Columbia River, savings from one fishery can be rolled over to another fishery. In other cells, where the data is not as certain, then rolling over may not be a good idea. We can't ask the Salmon Technical Team to "be conservative" in their modeling of rollover until we define what it means.

4. Public comment period.

Bob Jones, KMZ Fisheries Coalition: Our main goal is to provide a season for fishing opportunities. We will use whatever fish are allocated for our season. Our concerns: First, how can you guarantee that you will have fish left for us to catch by projecting before our season closes? Second, we don't think the statistical information that you used should have been used because it is old and doesn't give a good picture. We would like you to use '93 data instead. We agree with Scott's proposal with one modification. We would like one additional week added for August 10-13. We don't feel that we will impact coho to any great degree with this modification.

Boley: We have a safety factor that could nicely accommodate this request. Since there are 2,000 fish in the troll fishery up front, the Technical Team would not need to make a recommendation until the 22 of August.

Paul Kirk, Port of Trinidad: I need clarification on what this proposed motion intends to do with the proposal. I am unclear if the proposal will be forwarded for modeling by the Salmon Technical Team or does it mean you favor this over Options I and II?

McIsaac: This is a single ocean shaping recommendation that the Klamath Council could forward for consideration in addition to the three options they already have. It would be reviewed by the Salmon Technical Team after the Pacific Council concurs. On Wednesday, the STT could present their analysis of just one option to the Pacific Council.

Welter: All I ask is for you not to reduce our numbers below the 12,000 or 11,800, or whatever. We do not oppose rollover. We are also going to recommend that people fish deeper and closer than the 27 fathom curve in order to avoid coho.

Q: Are you suggesting that a study of catch rates be done to look at the effect of using downriggers?

A: Yes, that would be helpful.

Q: Could the state of Oregon conduct such a study?

A: Yes, that could be done (McIsaac).

Judy Cunningham, Chair of United Anglers: If the issue is to use what is left over, then it would be no problem, but the issue on this paper is something else. I don't think we could catch 12,000 fish in that season at one fish/day. This proposal gives us considerably less than option one.

Q: How do you feel about the four day/week option?

A: (Cunningham): If that is the way it has to go to conserve coho, then I imagine it would be ok. We have no problem giving up excess after we get what we can.

Jeff Feldner: We need you to narrow the range between Option 1 and Option 2 before we tackle this assignment. Also, I think the coho consideration needs to be seriously looked at. When you look at the Oregon coastal naturals (OCN) rates that the team has prepared, you'll see that the KMZ really stands out as the highest impact area. We've got to do what we can to hold down OCN impact in the KMZ. The rollover does nothing to reduce OCN impacts (unless rolled over to in-river or southern area harvesters).

George Kautsky, Hoopa Tribal Fisheries Department: I commend Boley et al for putting out this paper. We have discussions here regarding using "best science," yet what we are looking at here is managing ocean stocks using harvest rate management. Quotas have been introduced recently as another way of managing the fish. Last year, reduced quotas were not achieved by the sport fishery in the KMZ, so I urge you all to carry over this scenario to this potential recommendation. Harvest rates of 9% is the ocean management objective. I hope you consider that not achieving the quota may be evidence that the fish are not there.

Boley: The overall Klamath impacts are analogous to the coho consideration. We need to pick a season that works best. George, if ocean quotas are not meant, should in-river targets then be reduced?

Kautsky: The two are not comparable.

Shake: Department of Interior (DOI) originally favored ocean quotas as a way to prevent runaway fisheries in high abundance years. I feel that quotas are also the best way to deal with the

fisheries during low abundance. If fish aren't there we are straining empty water, and the troll fishery will be no more successful in catching the rollover quota than the sport fishery was. Now that we have quotas we should honor them.

5. Council action.

**** Motion (Shake): The Klamath Council will forward this proposal to the Pacific Council for discussion (specifically as shown in Handout C). Later, the Technical Team could model this.

Seconded (Wilkinson).

** Amendment: (Boley) I would like to offer a four part amendment to this motion, consisting of revisions to my handout: 1) The folks in the recreational fishery would like to see a 4 day/wk (Wednesday-Saturday) fishery from August 10 to 31. 2) A projection of the amount of fish available for the rollover would occur on August 22. The amount of the rollover would be 75% of the projected surplus going to the KMZ troll fishery. 3) After September 1, the leftover fish from both KMZ sport and troll would be available to the in-river sport fishery. 4) I recognize that some KFMC members oppose any ocean fishery in the KMZ. By approving the motion, the Klamath Council does not take the position that it favors the ocean fishery. We are just recommending this option for technical review.

** Amendment accepted by Shake and Wilkinson.

Discussion:

- o We need a technical review to determine if a rollover would help the in-river recreational fishery. On August 22, the Technical Team would make a prediction, 75% of the impact would go to the Rogue River fishery.
- o This proposal could also go to the California Fish and Game Commission and be dealt with on the state level, since the in-river sport fishery is their management responsibility.

** Consensus on amendment.

- o Oregon Department of Fish and Wildlife feels that this discussion is good, although we are a bit nervous about the modeling considerations and timing of the August troll event, in terms of OCN impacts. We may be interested in earlier timing. I'm in favor of these things being explored, though I'll abstain from the motion.

Q: Will this be a rollover on top of a rollover?

A: No, we will not compound errors.

* Motion fails (McCovey voted no, 2 abstentions).

McCovey: I'm worried about our fishery. Option 3 is closer to something that the tribe could support. I would be in support if we weren't narrowed down to two options. I have a lot of questions about the rollover and how it would work. If we are operating on harvest rate management, would a rollover mean that we have more time to get the fish that aren't really there?

McIsaac: The tribal share of the Klamath run, has been split between the 2 tribes. This motion is an effort to utilize the non-indian quota, not to exceed but to utilize. Could two options be forwarded? One being this one and the other being option 3?

Boley: The Pacific Council makes recommendations to the Secretary of Commerce for non-tribal harvest. As a non-tribal member, I am uncomfortable with not being able to explore options for the part of the harvest that concerns me.

**** Motion (Boley): The Klamath Council will make two recommendations to the Pacific Council: 1) the package discussed earlier (Handout C with the amendments as proposed on page 6, and 2) PFMC's Option 3 (no fishing above Point Arena).

Seconded.

- o (Fletcher): The Yurok Tribe advocated an emergency need of 12,000 fish. Option 3 is being driven by OCN. We feel that because Klamath River stocks are not driving Option 3, that the inriver fishery should not be constrained by OCN.
- o If the Pacific Council adopts Option 3, would the tribes still get 12,000 fish for emergency subsistence?
- o (Shake): This may not be consistent with the Solicitor's opinion.

* Motion fails (Fletcher, McInnis abstained, McCovey voted no).

Inside shaping options

At our last meeting, we discussed ways to protect natural fish that return early. Perhaps tribes and/or CDFG could consider distributing the fishing effort at the peak of the run.

- o The Yurok Tribe will soon be sitting down with the Bureau to discuss stocks of concern and what we can do to lessen our impact on depressed natural stocks.

- o Trinity stocks come in later and we are concerned about their low abundance as seen last year, so we can't target that end of the season.

Q: Are the studies available on how you are impacting different stocks?

A: Yes, that information was presented at the Klamath Symposium last week. It will soon be printed in the proceedings.

McIsaac: L.B., would there be value in forming a motion on 1994 in-river sport fishing?

Boydston: No, but I would like KFMC discussion -- in a future meeting -- of excluding the sport fishery east of the I-5 bridge from the sport quota. This harvest is essentially all Iron Gate Hatchery fish.

* Next meeting agenda item: CDFG exclusion of in-river sport quota harvest above I-5 bridge.

Public comment:

Bob Jones: The KMZ Fisheries Coalition is concerned because we have two options that are being modeled now that we don't feel a part of. We would like to be part of the modeling process. We thought you were getting somewhere in shaping an option that we helped develop, but you have reached an impasse. How do we get around this problem of working with you to set a season?

A: You will need to either work through PFMC tomorrow, later this week or through your state. You could also work closely with your SAS representatives.

Q (Boley): Is it appropriate for this Council to consider a harvest split between the Hoopa and Yurok Tribes?

A (McIsaac): Yes, we can make any recommendations regarding harvest.

Rick Fielitz: The courts have demonstrated that the Bureau of Indian Affairs (BIA) has the responsibility of deciding allocation between the Yurok and Hoopa Tribes.

McIsaac: Any motion made by this Council is considered in the context of "making recommendations" to BIA, Commerce etc.

Boley: This is the response I expected to get. If we are not invited to critique intertribal allocation, then you should not interfere in allocations between non-tribal fisheries, such as the one I proposed.

6. Set next meeting date and time. Decide on agenda items.

The next meeting will be tomorrow (April 5), 15 minutes after the Pacific Council breaks for lunch. Our meeting will be in the Portola B meeting room at the Crown Plaza Hotel. The agenda will include: 1) setting the next meeting date and time, 2) reviewing the report from the Technical Team on their assignments, 3) discussing the role of the Klamath Council in spawner deficit accounting, and 4) drafting a letter in response to Blair Hart.

April 5, 1994

Meeting called to order by Chair McIsaac at noon in the Portola B meeting room at the Crown Plaza Hotel.

Setting the next meeting date and time. Identifying agenda items.

Our next meeting will be October 20-21 in Crescent City. Agenda items: outstanding agenda items from this meeting, any other outstanding items and an in-season update on fisheries so far.

Harvest recommendations to PFMC and other groups

McIsaac: Tribes, are there any ocean fishery options that you could recommend?

McCovey and Fletcher:

- o It's up to the ocean fishery how they want to manage their fishery as long as they stay within guidelines.
- o We want technical review of the rollover proposal because we are honestly interested in how this will all shake out. If a proposal is brought forth that is technically strong, then we will be interested in how it would square with deficit accounting. We aren't necessarily opposed to rollover.

Boley: There have been modifications to the proposal regarding coho impacts and amount caught in August fishery. I support further technical analysis.

- o Let's hear the proposal from the Klamath Zone Fisheries Coalition.

Bob Jones: The option that we are proposing is within the coho constraint guidelines:

May 1-end of June, 7 days/wk, 2 fish/day to a chinook limit of 10,300 fish. At that point any unused fish would be offered to any other user group. Benefits: 1) allows quick turnaround of excess fish and 2) doesn't need lengthy technical review.

Then the season would open again August 15-August 31 with 2 fish/day, 7 days/week, or until a quota of 1,500 is reached. At that time any unused fish would be available to other user groups. On September 1 we would open as usual: 5 day Labor Day season, 2 fish/day.

**** Motion (Wilkinson): I'll offer the option as proposed by the Coalition as a motion.

Second (Boydston). This proposal is similar to Sport Option 1, except you are splitting the quota in two parts.

Jones: The bulk of the quota is in the early fishery to reduce the coho impacts.

** Amendment (Boley): This option should include a troll fishery for 1,500 chinook from House Rock to Sisters Rocks for May (modified Option 2). Then in August, a modification of Option 1 -- to begin August 8-12 with 1,000 fish, or as augmented by a 75% rollover from the KMZ sport fishery (up to 2,000 chinook).

Discussion

Wilkinson: This amendment is alright with me.

Boydston: This is not an acceptable amendment to me, as I would prefer to leave it to the SAS to recommend what to do with the unharvested quota.

* Revised motion: Add Option 3 to the proposal by Jones/Wilkinson (motion does not include Boley proposal).

**** Motion passes (Fletcher and McCovey abstained).

**** Motion (Boley): Here's a two part KMZ troll fishery: May Rogue River target fishery of 1,500 fish (House Rock to Mack Arch); then an August Rogue River target fishery of 1,000 fish beginning August 8 (Mack Arch to Sisters Rock). The technical analysis of the rollover effects of proposed option would be done by the Salmon Technical Team. The SAS decides what should be done with any rollover. This would be a permit only fishery.

McIsaac: ODFW would look at information that could be gained from fishery through genetic stock identification (GSI) and coded wire tag (CWT) analysis of fish caught in the Rogue fishery. The objective is to target Applegate fall chinook.

Q: How are we saving coho here? Seems like we are just shifting from August sport to August troll.

McIsaac: The STT modelled a 4,000 chinook August fishery that would have an OCN impact of 1%. So, the 1,000 fish August fishery would only be one-quarter of that.

Feldner: With four spreads/line, troll coho impacts are less than sport.

Boydstun: I'm still not convinced that we are saving any coho, but I see no problem in sending this proposal to PFMC for STT analysis.

Wilkinson: In regards to the first part of the motion, I note that there is no close date on that May fishery. I'm concerned that 1,500 fish could last 3 years unless the season is closed May 31.

Matlock: The PFMC may not have the ability to impose Oregon's permit process in federal waters. The framework procedures need to be checked.

Wilkinson: These types of fisheries have been extending beyond the three-mile zone for some time now. I don't know if this has been correct, but it has been done.

Boley: It may be necessary to coordinate the state permit process with the federal process/framework.

McIsaac: If this motion passes, we need to be specific in the request we make to the STT for analysis of the options that need to be shaped.

Request for STT analysis

Boley: Could Pliny provide specific questions regarding rollover to the technical team?

McCovey: Yes.

Boydstun: The STT analysis of rollover should include: The effects on risk of not attaining goal the fall chinook escapement floor, if chinook are less abundant than predicted.

McIsaac: My comfort on this point is increased by the fact that the KMZ sport fishery takes only 17% of Klamath impacts, and that only 75% of the surplus could be rolled.

* Clarification: Referring to Wilkinson's motion: Unused fish from the KMZ sport early fishery would not be rolled over for KMZ sport harvest in the later sport fishery. These fish would be offered to any other harvester.

McIsaac: Suggest that STT model (1) no rollover i.e., May-June sport quota completely harvested and (2) 1,000 fish rollover to an August Rogue troll fishery (ok by Boley motion-maker).

Q: Why does this motion reduce the August Rogue River fishery from 3,400 (Option 1) down to 1,000?

A: In a low abundance year, the higher quota is unrealistic.

Boley: This is an intelligent move on the part of the coalition, because it is a provision to utilize fish in a beneficial way. gives opportunity for full season. The rollover concept is good politics because it gives trollers more comfort in giving sport fishers a full, early quota.

Public comment

Jeff Feldner: We will recommend both of these options as SAS options. My feelings on troll options in the zone are that we will state our intent of rolling those quotas into areas of significantly lower coho impact.

Mike Orcutt: There is a track record of overoptimism about abundance of paper fish. The tribes are concerned that the escapement will be low enough that the tribes suffers and the resource suffers. If people feel strongly about rolling fish into other fisheries, then deficit accounting shouldn't be a problem. Note that the October meeting will be after the PFMC considers deficit accounting, so your meeting will be too late to provide any comments on that topic.

Fred Schutz: The Klamath zone option will help people who run businesses in the area.

Further discussion

- o The motion is good. It is the true purpose of finding a way to benefit zone society by optimizing fishing opportunity.

**** Motion passes (2 abstentions).

Announcements:

- o Chair will meet with tribal technical staff regarding the technical analysis of questions on the rollover.
- o We will meet here tonight at 7:30 to provide further direction to the technical team on the issue of deficit accounting.

April 5, 7:30 pm

The meeting was convened by Chair McIsaac with a quorum present. Members Boydston and Walters were absent. Bitts arrived mid-meeting. Sue Masten attended (instead of Fletcher).

Direction to the Technical Team on the issue of deficit accounting

Discussion:

Boley: In March, PFMC discussed how much more work to put into deficit accounting. The analysis of deficit accounting was imprecise. People who liked it liked it. Others wanted to change it. PFMC Action: The Klamath Council and Klamath Technical Team were asked to refine the proposal because the time frame for the amendment process was too short (analysis needed to be provided by June, then drafted by August meeting).

Q: If the analysis was imprecise, then what needed to change?

A (Barnes): Precision isn't the right word. There weren't clear cut distinctions between alternatives. For example, the Klamath Technical Team's report said that "conservatively it (deficit accounting) was the best thing to do." I could poll the team and try to find out how quickly and if they will be able to justify a re-analysis. Then we will have to set up a schedule. I am uncomfortable with having an analysis go through the Technical Team to the Pacific Council without the Klamath Council looking at it first.

A (Polos): Kope's model was realistic in having a high level of variability.

Boley: I envisioned that the Hoopa Tribe would take the lead on this and send a draft out for peer review by the Klamath Technical Team.

Orcutt: Hoopa could take lead, but we want to see cooperative effort with states, etc. I understand that one of the problems was not being able to break out sub-basin stocks. Social and political considerations would need to be taken care of too. I'm disappointed that the people who were objecting to it aren't at the table. If they thought that there were drastic problems with the proposal, then they should have been here to voice their concerns. I feel that their arguments are very weak.

McIsaac: The PFMC and the KFMC both felt that there were problems that could have been revised in the original proposal. CDFG wanted the concept to include a *de minimus* ocean fishery. Bitts was opposed because the proposal supported a minimum 35,000 fish floor. We need to identify a lead agency then they will need to get agreement on sub-basin stocks, *de minimus*, etc. Some change from the last proposal will need to be made. The

Technical Team could look at how things would shake out in 5-10 years instead of a 1,000 year turnaround. We need to get these revisions to the June PFMC meeting -- October is too late.

- o The proposal will need to be revised to get that one dissenting vote that we heard in September to change. The proposal doesn't require consensus from this Council before going out to public review because the PFMC already has deficit accounting in Amendment 12. It does need clarification to "crisp it up." Is there further analysis that needs to occur on a technical basis before it goes out for public review?
- o Let's identify the items needing clarification then ask the Technical Team to address the technical issues and bring list of policy issues back to Klamath Council. Before August we will have a report to present to the PFMC for their August meeting. In this way, the Klamath Council will need to meet in early June to review revisions.

Barnes: Are we saying KFMC consensus is needed on technical points? We don't need consensus of this group to forward with a technical analysis of the issues and show how it could be implemented. We could make the cuts right now and let it run through the Pacific Council process. I don't want to waste a lot of Technical Team effort on something that may not get consensus.

Boley: I don't want to send a fuzzy issue up. It deserves as fair a hearing in as clear of terms as we can give it.

- o If the Hoopa Tribe wants to take this issue to the Pacific Council and ignore Klamath Council process you can. But if you want support from the Klamath Council then you will have to get policy issues dealt with.

**** Motion (Masten): These technical issues raised by PFMC regarding deficit accounting should be an assignment to the Technical Team.

Seconded.

** Amendment (Wilkinson): Let's specify the issues:

- 1) CDFG's concern that anytime spawner deficit accounting kicks in it should be a target not a floor,
- 2) identify a lead agency,
- 3) agreement on sub-basin stocks (KRTAT),
- 4) de minimus ocean fishery impact (CDFG),
- 5) consideration of redefining floor (Bitts), and
- 6) Technical Team analysis of 5-10 year iterations instead of 1,000 year iterations.

Masten and McIsaac discussed the various tactics to bring this item to the Pacific Council. Those people who have concerns should carry burden of bringing solutions to those concerns to

the table. For example, on the floor definition item we need to have Bitts clarify the issues that concern him.

Q: The issue of sub-basin stocks came up in terms of the Endangered Species Act. The larger question is, "Can you manage for sub-basin stocks?"

A: It is not whether or not you can, but whether or not you should (Matlock).

- o People don't like what harvest management produces now. If we start divvying that up harvest based on sub-basin stocks they really won't like it.
- o Sub-basin stocks are a Task Force issue. This issue should be crossed off the list.
- o We are trying to clarify the issue and bring out points that need support. If we chose not to do it, then the proposal will not go forward. PFMC gave the proposal to us for a reason.

McIsaac: The motion asks those folks with policy gripes on the existing proposal to bring them to the table with suggested solutions for us to discuss at the meeting since the Hoopa Tribe has the lead in responding to PFMC concerns, I would see them asking: (1) CDFG to develop the "annual target" issue; (2) Yuroks to develop their 12,000 *de minimus* fishery concept; (3) Pacific Coast Federation of Fishermen's Association (PCFFA) to say what redefinition of the spawner escapement floor would be acceptable.

- o We asked the Technical Team to look at how the 33-34% annual escapement fits in with the 50:50 split idea. We should only hand them one major issue at a time.
- o The sub-basin concept came from a report supplied by the Technical Team. It brings accountability to the process.

**** Assignment to Council: Council members will bring policy language on the needed revisions to the deficit accounting proposal to the next Council meeting.

Walter: I'm opposed to deficit accounting. It was basically what happened last year when they shut us down to protect spawning escapement. The Hoopas are just getting strung along -- the overfishing review committee already said to send this out. Let's send it out for public review.

Wilkinson: I intend to support this motion to accelerate the process to send it out for public review.

McIsaac: The motion on the floor asks that those with policy objections to deficit accounting get their concerns to the Hoopa Tribe, who will share them with KFMC at a June meeting.

Masten: My motion didn't make Hoopas the responsible party. Each group with objections is responsible for developing them.

McIsaac: Okay. Staff responsible for informing those members who are not present.

Polos: The Technical Team would need some policy guidance (e.g. desired levels of *de minimus* fisheries.

**** Motion passes.

Boley: The Technical Team needs to model for *de minimus*, 10%, and 5% total allowable harvest impacts on Klamath fish in the year that you are deficit accounting; and model, say, 43,000 and 50,000 of annual deficit accounting ceilings. These numbers are just to clarify the issue for public review -- they are not necessarily numbers I endorse.

Q: Would that 10% be counted against you in the year after you didn't reach floor?

A: A 10% *de minimus* means you always allow that much harvest. Every year that you miss the floor the deficit would be moved over to the next year's escapement target.

** Technical Team assignment: Clarify the issue for public review (5 and 10%). (43,000 and 50,000 as ceiling). Mail to Council by May 16.

Conference call could be held. The public would be able to comment at specified locations at 1:30 pm on May 23.

Letter in response to Shasta CRMP -- Blair Hart

Yurok Tribe and Humboldt Fishermen's Marketing Association will be the leads in developing a draft letter of response to the letter received from the Shasta CRMP. An interim response will be sent from KRFRO staff (Handout E). Staff will expect to receive drafts from Masten and Bitts by May 15 for consideration at the May 23 Klamath Council meeting.

Report from the Technical Team

(Barnes): Handout D (Table One), illustrates the process as we perceive it for calculating adult equivalence.

Q: What do you mean by "unweighted?"

A: These are the aggregate maturity rates for the basin as a whole.

Q: Do we have any idea of the harvest rate on age 2 fish?

A: 26" is the minimum for legal troll harvest. I believe 12% are assumed to be vulnerable. Sport fish can be caught at 22".

Masten: From the Yurok Tribal perspective, we are only looking at fish-for-fish as an option. We are not interested in 50% meaning that the indians won't get 50%. How much further can we go on this consideration of adult equivalents? There are endless ways to calculate adult equivalents, which could occupy a lot of Technical Team effort.

McIsaac: I disagree with Response 1.a. The adult equivalent method is easily implemented on an annual basis, once you know the age distribution of your harvest.

Q: Any of the modeling parameters in Table 1 unreliable?

A: The 80% survival rate.

McIsaac: I don't agree with Response #3, but I don't ask you to pursue it further.

Shake: I suggest we take time to review the report and discuss it further as a future agenda item.

Boley: This is going to take a lot of negotiating. If co-managing the resource is the direction that the Tribes want to be going, then you must be ready to negotiate things like adult equivalents -- not just hold to a fixed position.

Announcement:

Barnes: The Technical Team has another assignment that was to further analyze the stock projections for the October meeting of the PFMC. I will be developing a time frame and may be able to report on it at the conference call.

Next meeting agenda item: I have a handout that shows how easy it is to get adult equivalents on the Columbia River that we could discuss at the next meeting.

Adjourned.

KLAMATH RIVER FISHERY MANAGEMENT COUNCIL
April 4-5, 1994

Klamath Fishery Management Council members present:

David Bitts	Calif. Commercial Salmon Fishing Industry
Scott Boley	Pacific Fishery Management Council
Virginia Bostwick	Klamath In-River Sport Fishery
L. B. Boydston	Calif. Dept. of Fish and Game
(for Al Petrovich)	
Troy Fletcher	Non-Hoopa Indians Residing in the Klamath
(for Sue Masten)	
Rod McInnis	National Marine Fisheries Service
(for Gary Matlock)	
Don McIsaac	Oregon Dept. of Fish and Wildlife
Pliny McCovey	Hoopa Valley Tribal Council
Bill Shake	U. S. Dept. of the Interior
(for Lisle Reed)	
Jim Walters	California Offshore Sport Fishery
Keith Wilkinson	Oregon Dept. of Fish and Wildlife

Attendees:

Judy Cunningham	United Anglers - Klamath Management Zone Chapter
Jeff Feldner	Salmon Advisory Sub-panel
Rick Fielitz	Bureau of Indian Affairs
Ronald Iverson	U. S. Fish and Wildlife Service - Yreka
Robert Jones	Klamath Management Zone Coalition
George Kautsky	Hoopa Fisheries
Paul Kirk	Klamath Management Zone Coalition
Duncan MacLisan	Salmon Advisory Sub-panel
Mike Orcutt	Hoopa Valley Tribe
Tricia Parker	U. S. Fish and Wildlife Service - Yreka
Ronnie Pierce	Yurok Tribe
Gordon Sanford	Commercial Maricultures
Fred Schutt	Klamath Management Zone Coalition
Jim S. Welter	Klamath Management Zone Coalition
Bev Wesemann	U. S. Fish and Wildlife Service - Yreka

FINAL AGENDA
Klamath Fishery Management Council
4 April 1994
Crown Sterling Hotel, Burlingame CA

Monday, April 4

3:00 pm CONVENE

- 3:05 1. Review KFMC harvest allocation recommendations from the March 7-8 meeting.
 - 3:15 2. Develop additional recommendations for 1994 salmon harvest management. Present fishery shaping recommendations (ODFW, CDFG, etc).
 - 3:30 3. Council discussion.
 - 3:45 4. Public comment period.
 - 4:00 5. Council action.
 - 4:45 6. Set next meeting date and time. Decide on agenda items.
- 5:00 pm RECESS or ADJOURN

Potential agenda items (meeting time and location to be announced):

- Report from Technical Team on status of assignments (Barnes).
- Presentation of proposal for adult equivalency assignment.
- Approve minutes of the March 1-2 meeting.
- Report on the search for water in Iron Gate Hatchery area (Boydston).
- Megatable reformatting proposal (McCovey).
- Report from CDFG on status of Karuk Tribal fishing rights (Boydston).
- Identify steps needed to review the spawning escapement floor (ODFW).
- KFMC refinement of spawner deficit accounting concept (Boley).
- Oregon Wild Fish Policy implementation (McIsaac).

KLAMATH COUNCIL HANDOUTS - April 4-5, 1994

Please circle any attachments you need, write your name and address on this page then mail this sheet back to us in the enclosed, self-addressed stamped envelope.

Agenda Item #1 Handout A: Memo to the Klamath Fishery Management Council, dated March 1, 1994, from the Shasta River Coordinated Resources Management Planning Committee.

Handout B: Report B.5 to the Pacific Fisheries Management Council - Recommendations of the Klamath Fishery Management Council on preliminary definition of 1994 management options.

Handout C: Proposed Option KMZ Ocean Fisheries - presented by Scott Boley.

Handout D: Technical Advisory Team's April 4, response to questions in regard to the potential methods of accounting for harvest of Klamath fall chinook.

Handout E: Klamath River Fishery Resource Office interim response to Blair Hart of the Shasta River CRMP.