

**SUMMARY MINUTES
KLAMATH FISHERY MANAGEMENT COUNCIL
APRIL 6, 7 & 9, 1997
CLARION HOTEL, MILLBRAE, CA
MEETING #49**

2:00 pm April 6, 1997

McIsaac: I convene the 49th meeting of the Klamath Fishery Management Council (KFMC). Let's bring the meeting to order, and introduce the members.

Members present: Nat Bingham, Dave Bitts, Virginia Bostwick, Rob Collins (for L. B. Boydstun), Troy Fletcher, Ron Iverson (for Jerry Grover), Paul Kirk, Donald McIsaac, Rod McInnis, Mike Orcutt (for Pliny McCovey), Keith Wilkinson

Other speakers: Jerry Barnes, Hal Cribbs, Rich Dixon, Dave Hillemeier, Jennifer Silveira, Duncan MacLean, Gary Manners, Jim Welter

1. Review, approve agenda

McIsaac: Would anyone like to add something to the agenda?

Collins: I would like to add an item on Klamath River project funding.

McIsaac: We'll put that after Agendum 14.

Iverson: Regarding Agendum 21: we would like to expand it to include the dates and locations of meetings over the next year. Because of hotel arrangements, we need to schedule our meetings that coincide with the Pacific Fishery Management Council (PFMC) a year ahead.

McIsaac: Okay. I would like to put an item with reference to a letter to the California Fish and Game Commission (F&G Commission) before or in Agendum 14.

Orcutt: Can we include discussion on spring chinook management for 1997 under Agendum 16? Also, the U. S. Department of the Interior (DOI) is meeting to discuss interim flows for the Trinity River tomorrow and Tuesday. If time allows, can we include this as an item for discussion?

McIsaac: We will put that right before the recess, and after the Klamath project funding discussion.

Fletcher: We might add to that flow issues on the Klamath for 1997.

McIsaac: Further suggestions? Recommendations are not on today's agenda. How does the Council feel about this? If we elect not to meet until Tuesday, we would miss the opportunity for recommendations before the Salmon Technical Team (STT) meets Tuesday.

Bitts: It seems that if we made such a recommendation, it would come in the form of an amendment to the recommendations we made in Portland. I'm comfortable with this agenda.

McInnis: This letter from Troy Fletcher to the PFMC chair Robert Fletcher (Handout B) raises some technical issues. We didn't come to any resolution in Portland on this. We assigned the Technical Advisory Team (TAT)

to look at the size issue. We should address these issues before Tuesday.

McIsaac: The first issue will come under Agendum 5. Troy?

Fletcher: The issues we raised fall under several items in the agenda. I'll raise them at the appropriate times.

Wilkinson: **I move to approve the agenda.**

[-----] **I second.**

[Agenda approved by members]

2. Review handouts (staff)

See Attachment 1.

3. Report on meeting with the Shasta River Coordinated Resource Management Plan (CRMP) representative

Fletcher: We have had several letters expressing concerns from Blair Hart and the Shasta River CRMP. I indicated in Santa Rosa I would draft a response letter, but since Dave Webb submitted substantial new information in Portland, it will take more time. However, we met with Dave Webb, Blair Hart, and Andy Eagan at the Klamath Symposium in Yreka to address their concerns. We agreed to form an informal working group that would meet in May to look at harvest issues, habitat issues, and water issues. We had a productive and frank discussion and agreed that everything would be discussed. The fall chinook return is just one issue on the Shasta. There are other species that utilize the river system: spring chinook, steelhead, and coho. We should be willing to look at all the information to assess the health of that system. We should let the CRMP know that we will listen to them, and also let them know they have a binding obligation to protect habitat and increase flows.

Wilkinson: The Shasta people were very appreciative of the fact we responded after their several letters to us. There was a lot of positive discussion. One thing that would help them is developing some form of monitoring juvenile out-traffic from the Shasta River. I think there will be work to get that in the budget. The California Department of Fish and Game (CDFG) lost an adult trap weir on the Shasta due to flood damage.

McIsaac: Questions?

Kirk: Troy, will you meet in the fall?

Fletcher: We don't want it to wait. We hope to meet in May.

Orcutt: What was the intent of the meeting? Is there some plan or document identifying what is limiting production? Is it flow, or gravel recruitment, or stream flows? Dave Webb assured me that CDFG was producing a report on that. There has been a weir in there, and adult return data. Rob, do you know about that report?

Collins: I'm not aware of it, but I will try to find out.

Barnes: Did Dave Webb's hypothesis of differential harvest come into play in your discussions?

Fletcher: Of course; it was the driving force behind the meeting. We want to explore that issue better and have people knowledgeable of the issues present.

Barnes: Do you want the TAT to review Dave Webb's report?

Fletcher: I first want to meet with the Shasta people and lay out an agenda for the long-term, so we can look at the information together and educate each other.

McIsaac: I could come up with some temperature and flow data from the Columbia River that might be useful to you. Should we try to get you the Iron Gate Hatchery records and coded wire tag (CWT) data from tribal and sport fisheries in time for this May meeting?

Fletcher: We have access to the Klamath River Information System (KRIS). I prefer to begin the process by scoping out all the issues, rather than going right to harvest, flow or temperature data.

McIsaac: In our last meeting, L.B. commented that this looked like a limnological problem. Did you discuss this at your meeting?

Fletcher: Yes. Preliminary results from a U.C. Davis study seem to indicate there are some thermal barriers during certain times of the day. Iron Gate Dam releases and flows directly affect those. We need to further flesh that out. The Klamath River Basin Task Force (KTF) is looking at this also.

McIsaac: When do you suggest we bring this information to your table? The intent of the Shasta CRMP was to influence the 1997 fall fishery.

Fletcher: Once again, we first need to have a proper identification of all the issues; harvest is just one. This year in our Yurok fishery, we will do a preseason projection using CWT's to try to separate Klamath and Trinity stocks. I'm not willing to go further than that right now.

McIsaac: Thank you Troy and Keith for your efforts.

4. Update on the report: Preliminary analysis of Klamath River fall-run chinook salmon stock, recruitment, and yield

Barnes: If you remember, TAT member Mike Prager presented this report at the Weaverville KFMC meeting. At that time, the Council posed a series of questions. We reviewed the report to satisfy those concerns in our February TAT meeting. Mike Prager did a Fortran version of the Harvest Rate Model (HRM), and while doing that he identified potential changes that would be beneficial to the stock recruitment and yield report. The original report assumes the only spawners are three-year-olds. Prager says it would be more valuable to use a stock recruitment relationship that uses fish biomass by weight, rather than numbers of fish, to spread spawning to threes and fours. This work is still in progress. Mike Prager is no longer on the TAT; Mike Mohr is replacing him. What is the Council's pleasure on this?

Bits: Is the rationale that biomass gives a better index of fecundity than sample numbers?

Barnes: It is more "biological". This is commonly used with marine populations, which are Prager's expertise.

Iverson: Is that just female biomass?

Barnes: I don't know.

Bingham: You say this is used with marine species; are those anadromous species or other marine species?

Barnes: Anadromous, as far as I know.

Fletcher: What is this exercise about?

Barnes: It's to better define the stock/recruitment relationship.

Fletcher: Is there an adult equivalence implication here? We went through a big dance to settle this, and I don't want to upset that. When you mention biomass on spawning grounds it obviously leads to that question.

Barnes: I don't remember seeing that term in our first report. The TAT has not met to discuss this proposal yet. We are asking the Council's opinion.

Bits: I can see full-time employment for the TAT and Council on this issue for the next several years.

McIsaac: In Weaverville we were given a draft report on stock recruitment and yield (Handout O from meeting #46), which had been an assignment to update what we had learned since the 35,000 floor was established. At the meeting, the TAT was given a small list of things to improve in the report. Now it looks like new brainstorming has happened. Our first step should be to review the items from Weaverville. Then we can look at the new approaches. At our next get-together, after we see the stock recruitment current picture as compared to when we developed the 35,000 spawner floor, the Council can consider a management response. The TAT is not ready with any documents now.

Barnes: There is an output based on the Weaverville meeting, but that is no longer pertinent. The main thing is the distributed spawning.

McIsaac: We will address this at our next September meeting. Any other ideas from Council?

McInnis: This is the only assignment Mike Prager is working on for the TAT. He has a suite of experiences that don't exist elsewhere on the TAT, but he also needs to interact with the others on the team. I hope he is interacting with others who have more salmon experience.

Barnes: He wants to.

McIsaac: Jerry, in September will you give us the package we thought we would get after Weaverville, even if it has spawning in three-year olds and other limitations? Then give us the new ideas separately, including the distributed spawning.

5. Accounting of the 1996 fall fishery

Barnes: I have handed you another stock projection, different from the one you received in Portland (Handout C). This new version has the addition of the fall fishery. Look at the numbers on Pages 8 and 9. We had an enormous number of tags recovered in the fall fishery. We had late fish this year, and late, late fish. Primarily in Oregon, but also in Southern California, we found about half the tags were from so-called late-run lower Klamath tributaries. Those tributaries would include lower and mid-Klamath creeks like Horse Linto, Hunter, Blue, Cappell and Pecwan. There were about 190,000 1992 tags out there -- double what there had been in the past. The TAT's conclusion was to manage it by allocating the late-run fish to the river, even though they were caught in September. Fish caught in September that are not late-run, and all fish caught after October 1, will be allocated to the ocean as five-year-olds and compensated for in the 1997 fishery. You can see on Page 8 we expanded these late-run tags and charged them to 1996 ocean fisheries (247 three-year-olds and 1,545 four-year-olds). This will require some changes in the harvest this week, that will have to be run through the Klamath Ocean Harvest

Model (KOHM). On Page 9, the table shows the ocean landings and summer equivalent fish that have to be accounted for in 1997.

McIsaac: On Page 9 of the last draft stock projection report, fall ocean landings expressed in summer equivalents were 2,900. Now they are about 1,300. Is that correct?

Barnes: Yes. The rest (the difference between 2,900 and 1,300) were allocated to the river. It was thought that when they were caught, they were destined for the river.

McIsaac: So these 1,600 fish were counted in the harvest rate for 1996. How does this change the forecast?

Barnes: For the age-five fish? We discussed this at our last meeting in Ukiah. Dave Hillemeier, the Yurok biologist, has put together a proposal for 1997 management. We still have not worked out what to do about changing the 7,200 five-year-olds. That is important, because it has to go into the HRM. All those five-year-olds were a driving force this year.

McIsaac: Are these five-year-olds a run prediction issue?

Barnes: No. It's an HRM problem. We don't know what number to put into the HRM.

McIsaac: Help me go through this slowly. Does this increase the catch for the 1996 year?

Barnes: Yes.

McIsaac: Are there ramifications to the forecast?

Barnes: For five-year-olds, yes. I think so. We haven't thrashed that out. If you don't do it for us, we will do that tomorrow morning

McIsaac: Does this change the allowable harvest rate for 1997? I think the answer is yes. So as Troy's memo mentioned, what do you do about September 1997?

Barnes: Dave Hillemeier will talk about our proposal to address that.

Bits: It is good to have an accounting for the fall fish. Some questions: does this necessitate changing the hindcast of the four-year-old age class? If about 1,200 1992-brood-year fish destined to be fives apply to the fall, and you were predicting 7,200, that's still about a 14% harvest rate on those fish in September and October. That's comparable to or higher than the harvest rate in the previous four months. Is that reasonable? Doesn't that call into question the appropriateness of using the standard method to predict fives this year?

Barnes: That's a good question. Is 0.8 the right survival rate? It's a very simplistic model. We haven't talked about changing the model.

Bits: If I understand the way age-fives are predicted, I wouldn't call it a model. It's a set of assumptions.

Barnes: We never looked at it in the past, because it didn't amount to any fish. It suddenly became important for the first time this year, especially because it is a low-run year.

Bits: More questions: now we've appropriately taken about 1,500 or 1,600 fish and called them late-falls. How does that ocean harvest of late-falls square with the reported escapement of late-fall stocks in-river? Do those

late-fall stocks appear in the megatable?

Barnes: If they were caught in the ocean they don't appear, but those stocks are accounted for as lower or mid-Klamath. (By the way, we had an error identifying one of our late tags, so we must change the stock projection numbers slightly before tomorrow morning).

Bits: I see about 1,100 fish in the megatable reported from the Yurok/Hoopa reservation. All the others appear to be above those places in the river.

Fletcher: What is highlighted here is the way this group is beginning to focus on subbasin management. This is an example of a fishery besides the Yurok's recognizing there may be some ability to lessen impacts on a stock of concern. My letter (Handout B) alluded to some closures before October. The lower basin habitat on the Yurok reservation is not that great. Our intention is to stimulate interest in another subbasin beside the Shasta.

Bingham: If we're going to get into forecasting these fish, we should take a look at their life history. I'm not aware of any investigations of that. Late-fall fish in the Sacramento spend time in-stream like spring chinook and coho do, before outmigrating.

Barnes: There will have to be sufficient tags out there to evaluate that.

Bits: Are we going to expand this database? Can we get more information? I hope we don't get locked into using the 1992 brood year as our database forever.

Barnes: You need CWT's on these fish in the ocean. We can defer the money issue to Keith.

Fletcher: We won't see this again: information from hatcheries in the lower river, and Blue Creek, Camp Creek, and Horse Linto Creek tagged. The Shasta also needs a tagging effort like this. We need more money for tags.

McIsaac: Jerry, will the TAT meet tomorrow at 8:30, then forward something to the STT?

Barnes: Yes. The STT will have to be working on this Tuesday, so we may need to make it a technical recommendation. Rich Dixon is our liaison.

Another issue is what to do with late-fall fish in the 1997 fall fishery. Scott Boley wrote a proposal on how to handle this. The TAT decided it looked appropriate, so Dave Hillemeier did an example. Although it also applies to Agendum 9, we'll talk about it now. Dave?

Hillemeier: This approach was proposed by Scott Boley (see Handout D). It assumes that the impacts on these late-run stocks in 1997 will be in proportion to the impacts as they occurred 1996. They will be scaled to the stock abundance of 1997 relative to 1996. See the columns in Table 1 (Handout D): 1997 predicted stock abundance, and 1996 post-season stock abundance. You make a fraction out of those two, with 1997 predicted abundance as the numerator and 1996 post-season abundance as the denominator. Then you multiply that fraction by the harvest impacts on these late-returning stocks in 1996 to get the predicted 1997 impacts on these stocks. As Dave Bits pointed out, the problem is that it's only based on one year of data.

Orcutt: Can someone explain this to me? In the past, the intent of accounting for the late-season impacts was to simply take them off the next season's fishery, wherever those impacts were. Now we have gotten into this lower Klamath subbasin impact analysis-- I don't think we have the time or data to meaningfully deal with this. In your cohort analysis, do you partition off the lower tributaries?

Barnes: No, we only separate hatchery fish and naturals.

Orcutt: I don't think you can get here from there.

Barnes: The rationale was that by our best estimate, those fish were in fact destined for the river, even though they were caught off Oregon. Previously, all fish caught in September were pushed to the 1997 allocation. This year it seemed biologically reasonable to take those late-run fish and move their birth date from September 1 to October 1. You are right in asking that question. We haven't approached this problem before, because we had low numbers of age-fives, but this year they were 10% or more of the predicted ocean harvest. That's why we began to look at the details. It does open up a lot of other questions. The Council must decide what to do about this, and this proposal is a starting point.

Bingham: Putting the fish that were destined to go in the river in 1996 into the next year's fishery doesn't make sense. That's why you're moving them.

Barnes: There is no direct evidence that they were going to go up the river, but it seemed unreasonable to have that many age-five fish. Dave Bitts pointed that out in Santa Rosa. This is the consensus of the TAT for a rational approach. Without this you get almost 3,000 age-fives.

Fletcher: We need to go back and take long look at the appropriateness of the birth date. The point is to be as accurate as we can. We don't often get the information giving us the chance.

Orcutt: I'm starting to understand better.

Barnes: The proposal from Dave Hillemeier (Handout D) is just one way how, based on one year's data, we can manage the 1997 fall fishery. You also have the option of moving the birth date for everything in 1997.

Orcutt: There are many implications here. The intent of the CWT effort in these lower tributaries was to evaluate the success of the program to rebuild spawning populations, not for management applications. Without the tags, you never would have known about this. My major concern is that you are breaking up the aggregate stock, and amplifying the late-returning component of the race. I'm not ready to buy it.

Fletcher: Those late-run chinook get counted against our quota when we harvest them, and it's only fair that they get counted against ocean harvest in the correct year. We want a proper accounting.

Orcutt: You might want to throw the spring chinook in there too.

McIsaac: Mike, you mentioned that if these fish weren't tagged, we wouldn't be doing this. However, if they weren't tagged, they wouldn't have been recovered, and the tags wouldn't have blown the estimate up. If we only used Iron Gate and Trinity tags, this wouldn't have happened. What is the Council's instruction to the TAT? Should they recommend to the STT to change the forecast for five-year-olds?

Bostwick: With that many fish that didn't reach into the river, does that mean your predictions were incorrect?

McIsaac: For five-year-olds, the answer is yes. The prediction will need to be changed. For four-year-olds, there is no change.

Barnes: The numbers will change slightly, but we'll get them to you by mid-morning tomorrow after our meeting.

Orcutt: Should this interim method proposal be addressed in a separate discussion?

Barnes: As far as the TAT is concerned, that is just a proposal.

Hillemeier: This proposal is saying that if you account for the 1996 late-run fall fish in the 1996 fishery instead of the 1997 spring fishery, then you should pre-season model the 1997 impacts on these late-run fall stocks.

Orcutt: Since lower Klamath tagging efforts are in wind-down mode, there won't be tags in 1997.

Barnes: So you mean, if we do this change for 1997, will we have the tags to confirm it?

Hillemeier: Probably not.

Bostwick: It doesn't look like we are statistically [inaudible] on our pre- and post- season [inaudible] predictions. Aren't we missing something here?

Barnes: We are still using the in-river two-year-olds to predict three-year-olds, and in-river three-year-olds to predict four-year-olds. At least these fish didn't enter the river. They were caught in the ocean. But it does affect the HRM.

Bostwick: In the two-year-olds, is the ratio of jacks different in natural stocks and hatchery stocks? Are they dealt with separately?

Barnes: No, it's not modeled separately. It's for the total in-river run.

Bostwick: Last year didn't we have more natural spawners return, and therefore had a lesser jack return?

Barnes: There is probably some bias there. We just count the ones we see.

Bostwick: Can we do this some other way?

Collins: There will be cutbacks in the data collection; we'll be able to do less this year.

Barnes: We won't get additional money to do more. On the Klamath, we do direct spawning counts. That won't change.

Fletcher: Virginia made a good point. We should have the TAT look at these issues during this off-season, and give us a menu of things to look at.

Wilkinson: I invite the Council members to sit in on the KTF budget process. It's been a significant struggle for several years now just to maintain what we have.

Bits: Perhaps we can discuss this under Agendum 13. I know the TAT has looked at a number of things. We would all benefit from a more accurate predictor.

McIsaac: More questions? This interim method for fall 1997 will not require the same tagging effort as last year?

Hillemeier: Correct, because it is assuming the impacts will be proportionately the same as last year.

Bits: Would it be useful to make a motion on this, or should we let the TAT play with this?

Barnes: This proposal is the consensus of the TAT, and it will now either be forwarded to the PFMC or not. If

you accept the biological rationale for this stock projection report, then essentially have the numbers before you now. If you don't endorse this proposal, then the STT will...

McIsaac: We became aware of this problem in Portland. The TAT has come to consensus. I'm not sure whether the Council is comfortable with it. I suggest we can put this aside until after the break so we can consider it. Then, if there is any objection to the TAT forwarding this to the STT, members should bring it up.

6. Balancing the outputs of the Klamath Ocean Harvest Model and the Harvest Rate Model

Dixon: In Portland, there was discussion on the dueling models and which model to use for the balance of the season. There was an assignment to generate the same results with the KOHM as arrived at by the HRM. At the time, I asked the chairman if we were shooting for the harvest rate, for 35,000 natural spawners, or for ocean landings. At that time I understood we wanted to let the harvest rate float a bit to achieve the other objectives. I made a KOHM that essentially emulated the HRM to calculate the ocean landings, and then used those to adjust natural spawning escapement. All these stayed close to the HRM results, and that's what we went with in Portland. This process is extremely time-consuming. It could take months. There is need to refine it.

Fletcher: I recollect you included non-tribal/tribal shares. As long as the 50/50 tribal/nontribal and the 35,000 escapement goals are met, I feel were okay. This assignment is not as pressing to me as it was in March.

McIsaac: So the KOHM output has been improved to clearly show the total catch for tribal/nontribal, and to ensure that escapement reaches the 35,000 level. Further discussion?

McInnis: When you talk about the 35,000, is that before you pass anything through the KMZ sport fishery?

Dixon: The KMZ sport seasonal management fishery was modeled at the request of the Council with a 15% cushion, which was to go toward escapement.

McInnis: That would mean about a 1% increase in escapement over the 35,000.

Dixon: Let me suggest, as an STT and TAT member, that the Council ask the TAT to review the KOHM between the end of this week and the fall, to figure out how the model performs. I would also like to talk to the Council about this, specifically the Southern California (SOC) cell.

McIsaac: We will include that under Agendum 13.

Break

7. Implications for 1997 Klamath chinook management of the size limit change for winter-run chinook and hook-and-release mortality

Barnes: Rich Dixon will be here shortly.

Fletcher: In the meantime, regarding the proper accounting of the 1996 fall fishery: we think it goes hand in hand with an adjustment of the 1997 fishery.

Bits: There might be two adjustments to the 1997 fishery. Do you mean in terms of modeling late-fall impacts of 1997 fish?

Fletcher: Yes.

Bits: I have to agree with you.

Dixon: The STT discussed how to evaluate the limit size change in the KOHM. The KOHM doesn't have a shaker mortality rate, nor other things in you might see in the HRM. It is all implicit in the exploitation rate that is generated from the number of recovered tags, and from the estimated harvest impacts derived from the cohort reconstruction. To truly adjust the model, we need to change the shaker mortalities and such factors in the cohort reconstruction. What we suggest is to adjust the vulnerability factor that is in the model, but do it on a more precise scale, focussing just on the proportion of Klamath fish caught in California, where there is the 27 inch size limit. I can only speak in conceptual terms at this point. We are having additional meetings to address this.

Fletcher: Our letter (Handout B) points out our concerns with those adjustments. After the TAT and STT have processed their ideas, and brought them back to us, we can discuss and review them. That is what we were asking for.

Dixon: The presentation to the SSC will be fairly informal. The whole model needs to be revised. It needs to be reviewed by TAT, and then their recommendations must be run by the SSC prior to next season.

Iverson: Rod, are the size limits proposed for this year going to be a permanent management tool?

McInnis: No. There's no fixed measure for protecting winter run. It won't necessarily be a minimum size limit. Other approaches may be equally viable in the future. I don't know what the difference in impacts on the winter run is between a 26 inch and a 27 inch size limit.

Bingham: Rod, would there be benefits in formally recommending to the PFMC that the KOHM be reviewed and updated?

McInnis: Of course. It would be treated with the care it requires.

McIsaac: Further discussion?

Bits: We suggested earlier to have our discussion of the KOHM performance at the same time as assignments to TAT. May we have it now instead, since it affects the rest of this week?

McIsaac: Is this the wish of the Council? There has been extra work done on this question. Seeing no objections, we will try to do that.

Orcutt: I have a comment on impacts due to winter chinook, the hook-and-release mortality, and mooching. These should be of concern of the Council. I have the impression that meeting the mandates of winter chinook is wasteful of other fish. We should be trying to be progressive. We need to speak on this issue regarding its implications for the Klamath stock.

McInnis: There are going to be hooking mortalities assigned to different fisheries by the PFMC this week. The mortalities will be based on our best information currently available. CDFG will do another field season study, focussing on the recreational fishery in the San Francisco area. I don't know of any more new studies on shaker mortalities.

McIsaac: Rich, how far north have winter run chinook tags been recovered?

Dixon: Good question. I don't know of any winter chinook caught in the KMZ, but I will check. I question whether there is reason to have the size limit up there.

Bits: I think it is an enforcement issue. The limit was rolled north to the border, so fish over the size limit can't be landed in one area and the moved to an adjacent area without the limit.

Dixon: Last fall we saw that fish landed in the Shelter Cove area were moved up to Eureka. That phenomenon created what appears as a quota discrepancy in our data.

MacLean: The bay fish fishery prevented a lot of those cross-over problems, but if it had been working the other way, there could be problems.

Added agendum: KOHM potential changes for 1997 management

Dixon: I have passed out a handout on KOHM performance (Handout E). After our March KFMC meeting, some members of the Salmon Strategy Team met on March 12 in Sacramento to address their concerns about modeling in the SOC area. At the end of the meeting, Dr. Gary Manners volunteered to do a hindcast using the methodology they were proposing. This was: modeling south of Point San Pedro (and south of Point Reyes) using a factor of 1, rather the factors that had been used before. The previous factors (which ranged from 1.1 to 1.3) originally had been used in May, June, and July to denote effort shift from Fort Bragg south to the SOC cell. Subsequently, there was a significant diminishment of the fishing fleet in Fort Bragg, but the factors remained in use, partly to estimate total Klamath impacts. They were in effect exploitation rate adjustment factors rather than effort shift factors.

Dr. Manners gave me his analysis results. See Attachment 2 (Handout F). The table below the graph has five categories: "Final" is the final model run for each given year, using the regulatory structure that was put in place by the PFMC. "PSP1" is using a factor of 1 for San Pedro south. "PR1" is using a factor of 1 for Point Reyes south. "MOD97" is, I believe, what would have happened if we had used the same methodology that we are using for our 1997 model to estimate back in time. "Observed" is what was actually observed post-season, based on CWT recoveries.

McIsaac: Let me interrupt, please. For example, in 1991 the final model shows a harvest rate expectation of 0.035 (3.5%) on Klamath three-year-olds in the SOC?

Dixon: Correct.

McIsaac: Then you observed a much higher actual harvest rate: 12.2%. Is this is a consistent pattern in three-year-olds across all of these models?

Dixon: Yes. On the right side of the table is the average with and without 1992 data. 1992 was a unique year. Please focus on the bar graphs. The bar on the right side for each of these years is the observed. The one on the left is the final, etc. In general this shows that for the SOC for age-threes, the model would have under-predicted the impacts no matter which method we used. For fours see Attachment 3 (Handout G). There was under-prediction again, except in 1992- 1994. I combined ages three and four (Handout H), and it also under-predicts, based on harvest rates (the number of fish caught divided by the abundance). Attachment 5 (Handout I) is a table out of the Preseason Report I (Stock Abundance Analysis for 1997 Ocean Salmon Fisheries, prepared by the STT). The third pair of columns from the left side of the table show pre-season impact rate target on age-four fish. That's what we estimated pre-season in the ocean. Now look two columns to the right to see what the actual impact was. In 1991 we ended up with a higher impact rate than we estimated pre-season. In 1992-1994 we had a lower one. 1995 is a higher one, and 1996 is somewhat lower. Although the SOC cell has been under-predicting, the model has as a whole over-predicted in four out of six years.

How do we deal with this issue? We would like guidance from the Council, because it goes beyond the technical

realm.

McIsaac: First, are there questions for technical clarification?

Fletcher: If there is under-prediction in the SOC, then there is slop somewhere else in the model. Are there any other patterns you see?

Dixon: The STT investigated the Coos Bay area, because effort in that area dropped off substantially from the base period. It is one-tenth of what it was. Effort has changed in other areas too. The SOC has changed dramatically from troll towards sport. Look at Attachment 6 (Handout J) to see how landing effort has changed. This attachment also pertains to concerns about the impacts of mooching in the SOC. The bottom table shows what proportions of Klamath tags in the SOC are troll and mooch. Sport is an increasing proportion, but troll still gets 93% of Klamath tags, perhaps because Klamath fish are further out.

Bingham: I want to comment on Rich's last point. We heard years ago about Klamath fish being farther out, and when we looked at data pre-1986 we saw that same anomaly. I would like to see this looked at more. It may be an effect of sampling methodology. I find it hard to believe that Klamath fish are always on the outside.

Dixon: In the early 1980's, when CDFG was sampling fisheries, all tag files included whether the fish were caught within or outside of three miles. Unfortunately, that information has been dropped in recent years.

Iverson: Has the SOC been defined consistently over the years?

Dixon: The SOC extends from Point Arena south. In about 1991, Klamath constraints on the SOC fishery required partitioning of the area. Initially it was divided at Point San Pedro, then at Point Reyes. The partitions are based on the proportion of area rather than the number of tags. It is a somewhat artificial means for the TAT to deal with complex issues.

McIsaac: So an SOC value of 1 would have been a full-fledged fishery in the entire SOC, but since you don't feel good about giving Point Arena south a full value of 1, it has been modeled at something less? And if you go back and give it a value of 1, you see these other results?

Dixon: No. In order to give flexibility to management by fishery area, we wanted to estimate how many Klamath fish we would get by fishery area. Doing this puts us on pretty shaky statistical ground. Based on the data, we probably need fewer cells, not more. For example to model the Point Reyes area, we would use a factor of 0.62, times the number of days open, times whatever the SOC factor was (say, 1.12).

Bits: The 0.62 is simply an expression of percentage of the area?

Dixon: Yes.

McIsaac: To get back to Troy's question: you are seeing that true impacts on Klamath fish in the SOC are more than what has been modeled. But as a total ocean-wide picture, Klamath impacts are predominantly coming in under. Where else is the difference being made up? The KMZ and Coos Bay are two such areas. You indicated that the STT downgraded effort by 90%.

The GSI data being collected in Oregon show the stock composition in the troll fishery does not include as many Klamath fish as the model says. In the SOC cell, what is the culprit? Is it an effort thing, or a stock composition thing?

Dixon: Certainly there has been a decline in the fleet size overall, and maybe the boats left are very efficient at

what they do, and aren't representative of what we had in the base period.

Bits: Yes, but the ones left were also there in the base period. It may be true that the less desperate one have dropped out, but I don't see how they could have gotten that much better.

Dixon: There is another issue here: the Klamath stock is constraining fishermen from getting at our predicted higher-than-average abundance of 1997 Central Valley fall chinook. Management has gotten more and more complex since I first became involved, with winter run and coho.

McIsaac: More technical questions before we address this problem?

McInnis: On Attachment 6 (Handout J), in the last portion of table, are those expanded numbers? Are different expansion factors used for commercial and recreational fisheries?

Dixon: Yes. We stratify our expansions by fishery.

Orcutt: What is the question we are trying to answer now?

McIsaac: If it's clear there is a technical problem with the KOHM underestimating in the SOC, it's a policy question.

Bits: When this model was developed using the 1986-1990 base period, (and that included three very abundant years and three less so), fish either concentrated at Coos Bay or Fort Bragg. It was an almost yearly shifting. If the model was working right, we expected in any given year that one area would fall short of its predicted impacts, and the other would go over. But now I think we have been seeing a consistent shifting of Klamath stocks to the southern end. That's why we have a problem with the northern end consistently falling short. In spite of the dramatic reduction of effort in the Coos Bay area, the effort per mile of fishing water in Oregon is still comparable to that of California. Maybe this shift is permanent, but if it is a transient change, should we change the model?

Fletcher: Rich, are you raising this because we should do something this year, or to impress upon us the need to reevaluate the KOHM over the long-term?

Dixon: Both.

McIsaac: The TAT has identified what they see as a serious bias. Do we ask the TAT to work with the STT this week to incorporate some correction factor for the 1997 season, or do we stick with the model as it now stands for this year?

Fletcher: My concern is that the TAT already has a full plate for this week. Rich, is it realistic to expect you can do this this week?

Dixon: National Marine Fisheries Service (NMFS) has offered Michael Mohr to provide assistance.

Fletcher: Will the STT have adequate time to review the adjustment? We will ask that they review it.

Dixon: Not as a long-range term solution. This will be a fix just to get us through this week, and then we'll review the model thoroughly.

Bits: I'm not convinced there is a problem, because in its overall performance the KOHM is doing a lot better

than the stock prediction. We've come under the target harvest rate for the last six years. If you believe in erring in the side of conservatism, this is actually an improvement over the base period. If I was in Oregon, I would be wondering when the fish were coming my way. But if you make an adjustment to the model for a southern shift of the stock, will Oregon then be able to access their share when it finally comes their way ?

Bingham: I warn against sudden changes in our model. In the late 1960's and 1970's we saw large numbers of coho migrating south to California every spring. There is so much we don't know: the impacts on forage, the abundance of northern-migrating Sacramento fish. The coho population has been effectively removed, so chinook may be moving in to an empty niche. As the productivity of the Oregon coastline returns, who knows which fish will come back to occupy it?

Wilkinson: If there is another fish shift (and I keep hoping for one), will we have a fishery to measure it? The KMZ is a desert, and we haven't known what is going on in the KMZ since 1986. The Oregon fleet is significantly displaced. Coos Bay, its major port, is producing zip.

McIsaac: Further discussion? Before we direct any TAT activity on this, we will continue to list it under Agendum 13, and get public comment before taking action.

8. Request for "optimization" of lower river fishery

Barnes: We wanted to ask Virginia to clarify this assignment. We couldn't define how to optimize. The TAT isn't sure this is a technical issue.

Bostwick: Hal Cribbs made the original request. My understanding of it was: when we have so little fish, how do we optimize catching those few fish, as far as time on the water, access, etc.

McIsaac: For example, we could look at some of the things being used in the KMZ sport fishery to spread out time on the water and maximize certainty about time on the water: a seasonal approach that doesn't fish all through summer, that sets aside 15% of the quota as a buffer to insure a seasonal approach, bag limit changes, etc. We can put together a list of these for the TAT. Under the public comment period, perhaps Hal Cribbs can elaborate on his request.

Bostwick: We have been essentially designing our own fishery, and we would love a seasonal approach, if what we give up isn't greater than what we gain by it.

9. Review KFMC harvest recommendations from the meetings of March 2-5, 1997

McIsaac: Staff, I sent you a copy of the motions for our last meeting's harvest recommendations. Did you distribute those to the Council members after Portland?

Silveira: No.

Wilkinson: Outside of issues on which we needed more information on from the TAT, I don't believe we need to see that copy unless we are going to change our presentation to the PFMC.

Bits: I agree. I think our basic recommendation was sound.

McIsaac: Staff, when you can this week, please distribute those motions.

10. Council discussion

McIsaac: Further discussion? Seeing none, we will move to public comment, after which we will discuss

assignments to the TAT for both this week and the long term. Then we will set our meeting times for this week, and hear a couple of informational items.

11. Public comment

Welter: I'm Jim Welter from the Port of Brookings, Oregon, representing recreational fishermen. We've been wondering why this harvest model doesn't work. The reason is the shaky statistical ground it stands on. There is a definite effort shift to the south. Effort is reduced all along our coast. For example in Brookings, we had an average catch of 17,000 coho a year, in addition to our chinook catch. That's been gone for several years. To get an opportunity to fish we went down to one fish a day, four fish a week. A lot of people don't come any more, but enough do come who really want to fish. Today the model has come up with a prediction I don't agree with or understand. In the past, the highest returns we had were after the lowest spawner floors. The best thing we can do is work on utilizing the resource, and for the KMZ that is a seasonal approach.

Manners: I'm Gary Manners, part of the Salmon Strategy Team. I provided the background data for Rich's discussion of the KOHM. At a meeting to address the dueling model problem you saw in Portland, we saw that there had been a change in one of the factors that Rich talked about, applied to San Pedro south. We felt that change was unwarranted, so we met with the CDFG in Sacramento to try to iron this out before we came down here. That led to my back-forecasting the model.

The purpose of my hindcasting was to show that a change in SOC wouldn't have a major impact on the model for this year. Rich took it a little further than I anticipated, and he didn't get back to me until Friday with his final result. I'm afraid I do not completely agree with him. We have never agreed that this model doesn't work.

I want to discuss the implications for this year of what I gave to Rich. The Council must decide on a methodology question relating to underestimating or overestimating in the SOC. When Rich did his calculations using the different parameters, he looked at the SOC as an entity within the total Klamath area. Then he used that information to determine a harvest rate factor for the SOC. Rich missed a point here in one regard; the SOC still makes up part of the whole Klamath. To change the SOC within the Klamath, you have to put the SOC back in the remaining Klamath and divide by the whole Klamath to come up with the harvest rate factor. When I did that and graphed it, I saw the whole model overestimated versus the observed. From our point of view, the tiny adjustments to the SOC that we are proposing this year do not change the overall picture.

After working with this model for three years, I still don't understand every nuance. Its biggest problem is that it was made over a period of high abundance, and at that time the mix of the salmon catch was equal or slightly in favor of one side or the other. Now we've applied the model to low abundance for several years with a big shift. We need to push the model back the other way by changing factors, but we do not have the time to tear down the whole model and rebuild it.

Fletcher: Regarding "dueling models": were there two models? Did you have a model, and Rich have a model, and the two of you were dueling?

Manners: The only difference in the model was the designation for the portion of the model south of Point San Pedro: a series of factors for May, June, and July of 1.12, 1.17, and 1.28. In 1994 those same areas were designated 1.0, 1.0, and 1.0. The new factors were instituted in 1996, but we didn't examine them last year, because the model didn't matter. This year we asked to go back to what we used in 1994. We were asked to back-model to show that it was rational. We were using the factors used in 1994, and Rich was using the factors from 1996.

Fletcher: How do we decide what model to use? That should be for the STT to decide. I'm all for accuracy and

am glad you are looking carefully at it.

Manners: We did not intend to create a problem that would grind the Council to a halt. This is a minor adjustment, although it will give us 12% greater access to fish south of Point San Pedro. These factors have already been used, and in years when the overall harvest rate ended up being lower than predicted.

McIsaac: Gary, see Attachment 4 (Handout H). Earlier you mentioned making sure you divide the impacts by the true run size in the “observed” column. My impression is that these are observed harvest rates, where we have divided observed catch by observed run size. Do you agree?

Manners: Yes.

Cribbs: I’m Hal Cribbs. To clarify what we were looking for in our optimization assignment to the TAT: last year there were 90,000 angler hours on the lower Klamath River, with a harvest of about 7,800 fish. This year we are faced with approximately 1,600 fish. We believe that the angler hours on the lower Klamath are important to the state economy as a whole. How do we maintain those angler hours with less fish? We favor a seasonal approach, but we don’t know what the impacts of that might be. We want a statistical analysis. What might we do by shifting the season, modifying the harvest rate, and using different approaches used historically ?

Last Friday in Alturas, the F&G Commission met to adopt its ocean regulations. The Commission was concerned about the statistical approach being used to determine fisheries off the California coast, and its impacts on the people of California. I believe the Commission will be sending out a letter with their tentative approvals, including their support of Option 2 (first two fish taken and you’re off the water, no return of shakers, and a 20 inch size limit). They also added a caveat that there would be a range of percentages for in-river Klamath, from 15% to 33 1/3%.

Orcutt: Did the Commission consider that when the lower Klamath River fishery closes, the jack fishery, as well as a potential coho fishery, kicks in?

Cribbs: No.

MacLean: I’m Duncan MacLean, the California troll representative to the SAS. The CWT information clearly shows (in spite of skewing from the transfer of fish from out of the area into the area) about 30% of the Klamath impacts in the SOC cell below Point Arena have been below Point Reyes. That’s the kind of adjustment we were looking for in the SOC. In the model, it seems all our impacts are driven by our inability to predict abundance. The TAT needs to improve prediction accuracy, or at least have an in-season adjustment factor. The model also needs to be more dynamic; it is far too inflexible. It kicks fish out and doesn’t replace them. There are so many cushions put into it that it’s surprising it comes in as close as it does, although it is consistently below.

We must remember that the model was developed over the range of the Klamath stocks, not for cells individually. If we start breaking out a cell, saying this cell is modeling too high or too low, we’ll be caught in a devil’s triangle, throwing the model performance off. This year, for example, there’s a tremendous abundance of mackerel in Washington state that we haven’t seen in a long time. Those kind of things are accounted for by taking the entire area into account. We don’t agree with the numbers we have been forced to substantiate. We think that those numbers are still incorrect. We think that this whole exercise below Point Reyes is inappropriate, but it is the best we can do with the amount of time left in this process for this year.

Iverson: What numbers are incorrect? Are they the observed values?

MacLean: No, those numbers are correct, but those numbers are narrowing it to the SOC only. The numbers that

are incorrect are the exploitation rates (they used to be effort shift factors), which are fudge factors in the model. We need to be looking at the abundance, because the whole thing is driven by abundance estimates that are grossly incorrect.

McIsaac: Further public testimony? Seeing none, we close public comment.

13. Assignments to TAT

McIsaac: Under Agendum 13, let's divide the TAT assignments: assignments for this week affecting the vote on Friday; and assignments to be done in September. First, the assignments for this week: 1) what to do about these fall 1996 tag recoveries, and the recommendations from the TAT for adjusting the ledger for late-run fish in September, 1996; 2) coming up with an interim method for a consistent accounting of late-fall fish in September, 1997. Second, long term assignments: 1) KOHM cell modifications. What are the Council's desires?

Fletcher: We have one also: reduce impacts from size limit increases and hooking mortality, as discussed in my letter.

McIsaac: Should those be assigned for this week?

Fletcher: Yes, because if they are going to be made as technical adjustments, they need to be adequately reviewed, even though it is a lot more work for Rich.

McIsaac: The Council needs to give the TAT direction for their meeting at 8:30 Monday.

Wilkinson: Is the paper (Handouts C and D) the TAT issued concerning late-run fall chinook the consensus of the TAT?

Barnes: Yes.

Wilkinson: I make a motion to endorse the material we received this morning about how to deal with September of 1996 and September of 1997 to the STT.

Bitts: I second.

McInnis: Keith, what does "endorse" mean?

Wilkinson: To clarify: my intent is to support TAT in their efforts on this issue and give the Council go-ahead to present this to the STT.

McIsaac: So this motion is to endorse the two papers from TAT which contain recommendations. The first paper says to change the September, 1996 impacts to 1,600 fish, and the second paper says that if it is fair to take them off of September 1996, it is fair to add in September 1997.

Orcutt: To clarify: the two documents are the TAT revised report (Handout C) and the interim modeling (Handout D)?

McIsaac: Yes. Further discussion?

Orcutt: I have reservations about the interim component. I have too many questions on this document, such as where we put the late season impacts.

Bits: Do your reservations pertain to the effect of this document on the management of ocean fisheries, or on in-river accounting?

Orcutt: I think the analysis and write-up opened more doors rather than answered the question of where we put those impacts. I can't buy assumptions and incompleteness. There are other things in the basin that should likewise be looked at.

McIsaac: I tend to agree. Something unusual happened in 1996. The can of worms is that we haven't gone back through time and looked at this for other years. These tagged late-run fish drifted into our data set, and now they are going to drift out. This is not a thorough treatment. If these late fish weren't tagged, we wouldn't have this dilemma. Maybe we should use hatchery tags throughout, until we have this subbasin partitioned. I am comfortable with this an interim solution for 1997 only, to get this aberrant 50% harvest rate on fives off the books.

Fletcher: Does, this motion just approve it to go on for further analysis by the STT, so we would still have that other layer of review?

Bits : Right; the STT has the final call. If we don't do this, ocean fisheries will be charged this year for all those impacts when they're already hurting, and when the TAT believes over half the fish would have gone upriver. I don't see a better way to do it right now.

Iverson: Rich Dixon, what is the significance of the Council endorsing or failing to endorse this, as far as the STT is concerned?

Dixon: The STT needs to look at this. An endorsement gives us a guidepost.

Orcutt: I have no problem with the scientists and peer review, but this motion is saying the KFMC endorses this policy. Maybe I'm paranoid, but that implies that it's okay with us before we send it for review. It may come back to haunt us. In the long-term, I would like the TAT to look at partitioning the estimate for the Klamath Basin between various components.

Fletcher: Do you think it's okay to make the adjustment to the September 1996 fall fishery, but not to the fall 1997?

Orcutt: With reservations, yes.

Fletcher: I think they go together.

McIsaac: Further discussion? Mike, would it make a difference if we make a modification to the motion, saying that the endorsement applies to the use of these adjustments in 1997 only, and that TAT look into these broader questions over the course of the summer?

Fletcher: May we have a two minute caucus?

McIsaac: Let's have a short caucus, noting that it is 5:45, our meeting is supposed to end at 5:30, and we have three more items on the agenda after this.

Break

McIsaac: Let's reconvene. We have a motion on the floor made by Keith Wilkinson and seconded by Dave Bitts. Further discussion?

Bostwick: I'm confused. Troy was saying these fish always come in this late. Is it a fluke that there were that many? Is this something we've seen in the past? Will we see it in the future?

McIsaac: It's more of a fluke that they were tagged. In past years they were probably there, but weren't tagged, so they weren't accounted for in the September ocean catch.

Orcutt: I still feel strongly enough to oppose the motion.

McIsaac: I ask the Council for direction.

Wilkinson: We have opposition to the motion without alternative amendment? **Not hearing any amendments, I withdraw the motion.**

McIsaac: Further discussion on this item?

Orcutt: **I make a motion: that the KFMC recognizes the problem in the fall fisheries in 1996, and further recommends the need for technical review by the STT.**

Wilkinson: **I second.**

McIsaac: Discussion?

Iverson: Review by the STT of what?

Orcutt: Review of the whole thing related to where we place the post-September-1 fall fishery impacts.

Fletcher: I offer a motion that we table this until later. It will go to the STT anyway, since Rich is there. At our meeting, we can clarify the implications for 1997.

McIsaac: I speak in favor of the motion rather than tabling it, because it says the STT should consider what our TAT has done. If we don't pass this motion, people will overreact, saying we voted down what the TAT has done.

Bitts: What are the implications of this motion for 1997 management?

McIsaac: The STT would consider it for use this week

Orcutt: My concern is setting the precedent of weak stock management. The KFMC has for years and years dodged that. In terms of the motion, tabling it or not is fine with me.

Fletcher: I prefer to table rather than veto it.

Kirk: Rich Dixon said that if we didn't make a recommendation, the STT will still look at it. Can't TAT pass it to them automatically without us?

Barnes: No, it really can't without direction from the Council.

Fletcher: **I'm prepared to make a friendly amendment to Mike's motion to state that: we would like to forward for technical review by the STT the issue of the September late-fall fishery for 1997, the issue of effects on Klamath stocks of increased size limit from 26 inches to 27 inches, and the technical adjustment of hooking mortality.** Let's just throw it all to them.

McIsaac: For a friendly amendment, the maker of the motion should approve.

Orcutt: I would accept that.

McIsaac: Is there further discussion on the motion that has now been amended?

Bingham: Call the question.

[Motion passes with one abstention.]

McIsaac: Can you give me the language of the motion, Mike, and the amendment, Troy, for the record?

Are there any more technical assignments for this week? What does the Council wish to do regarding the cells of the KOHM?

Bits: I don't think this model is broken, but if that SOC area has to be fixed, we must make a corresponding fix in Oregon, or else you will break the model in an attempt to fix it.

Orcutt: Didn't Dave Hankin do some analysis that found that with the level of tagging that has been done in the Klamath Basin, we are exceeding the statistical limitations of the data by using it in all the different cells of the KOHM? The problem starts with scant bits of data from which we are trying to draw out statistical validity.

Bits: You are not wrong. That is a problem.

McIsaac: I agree with Dave to some extent. There are many problems with the KOHM. It looks like the SOC cell is biased. I have data that shows that in the KMZ sport fishery, it is virtually always under the impact. I would use that as an argument that seasonal management is safe even in a year managing for the floor. We will no longer be able to make that argument if we change the model. I'm in favor of a thorough review of the KOHM at a more leisurely pace over summer.

Bits: I think we heard from Hal Cribbs that the F&G Commission is also looking at such a review. I have also heard that NMFS is looking at a review. Maybe these efforts can be combined.

McIsaac: Further discussion on KOHM cell corrections?

Bits: This is a question related to the accounting for the 1996 fall fishery. Regardless of how many 1996 fives it turns out we count toward 1997, should we take them off the top, or assess them against the areas in which the landings occurred?

McIsaac: That's a worthy question, but right now we're dealing with assignments.

Bits: I thought when I raised it before that it was deferred to this time. Now what do I do?

McIsaac: That would be for Agendum 16.

Let's defer further long-term TAT assignments to later in the week.

14. Identification of agenda items and meeting time for April X meeting

McIsaac: In Portland we had meetings Tuesday evening and Wednesday noon. What are the wishes of the Council for this week.

Bits: Is Monday evening possible?

McIsaac: Yes.

Wilkinson: Wednesday morning is all groundfish meetings.

McInnis: It's imperative we meet by Monday evening, before the STT's analysis on Tuesday.

Barnes: I expect TAT will be done with our assignments by tomorrow afternoon.

Fletcher: I propose 2:00 or 3:00 tomorrow afternoon.

McIsaac: Let's meet from 2:00-5:30 tomorrow, and Wednesday from 12:00 noon to 1:00.

Wilkinson: Rod, will you have trouble making Wednesday noon?

McInnis: I will have someone sit in for me if I can't make it.

McIsaac: We will meet in this room, and if the room is occupied, we will put a sign on the door with the location.

Bingham: I request that the Trinity and Klamath flow questions be put off until later.

Orcutt: I agree.

McIsaac: Okay. Further business?

Bits: I want to thank to the TAT for an outstanding job in a timely fashion in dealing with this difficult fall fishery issue.

Barnes: I thank Scott Boley for stimulating this.

McIsaac: The meeting is recessed until tomorrow at 2:00.

Meeting recessed 6:30 pm

Monday April 7, 1997 2:00 pm

Meeting reconvened

Members present: Dave Bits, Virginia Bostwick, Rob Collins (for L.B. Boydston), Troy Fletcher, Ron Iverson (for Jerry Grover), Paul Kirk, Don McIsaac, Rod McInnis, Mike Orcutt (for Pliny McCovey), Keith Wilkinson

Other speakers: Jerry Barnes, Hal Cribbs, Russ Crabtree, George Kautsky, Jim Welter

McIsaac: We have a typed agenda from staff for today's meeting (Handout K). Are there comments on the agenda?

Bitts: I suggest at 5:30 pm it should say recess instead of adjourn.

McIsaac: Further comments? Let us proceed.

15. Klamath project funding (Collins)

Collins: You have heard this before, last year. Costs are going up throughout the CDFG. We are seeking funding alternatives for some cutbacks. They are the following projects for next year: 1) weir operations and spawning ground surveys at Bogus Creek; 2) the upper Klamath River creel census between the Interstate-5 crossing and the Iron Gate Hatchery; 3) the removal and decoding of CWT's at Iron Gate; 4) coded wire tagging of chinook yearling production and 5) marking of Iron Gate Hatchery 1996-brood-year coho salmon. We need to find other funding sources for all these. Weir operations will cost \$21,000; the Upper Klamath River creel census will cost \$7,800; removal and decoding of CWT's will cost \$11,500; coded wire tagging of yearlings at Iron Gate Hatchery will be \$17,500; and marking of Iron Gate Hatchery 1996-brood-year coho salmon will cost \$8000. The total is about \$66,000.

Orcutt: Can you make copies of that document for us?

Collins: This is an internal memo, so I can't. You are aware of the consequences of not carrying out these programs.

McIsaac: Last year we had a similar problem, and what came to the rescue?

Orcutt: End-of-the-year U.S. Fish and Wildlife Service (USFWS) money.

McIsaac: Was the amount the USFWS came up with similar to this year's shortfall?

Iverson: It was \$53,000.

Fletcher: We requested from the CDFG a prioritization of activities. Some of these activities are different from activities requested last year. Have some of those been funded? Certainly tagging of juvenile chinook is essential. There may be other things that aren't as high priority.

Collins: I don't have the list of priorities from last year.

McIsaac: These things are associated with Anadromous Fish Act (AFA) funding, as opposed to restoration?

Orcutt: This question came up last year, originally at the September Five Chairs meeting. Then the KTF discussed it, and the USFWS funded it. I suggested numerous internal solutions to the CDFG through Mike Rode. The newly-created Hatfield Coordination Group has also discussed it. Now we've learned that the Shasta River weir is damaged, and it will also require funding. I would oppose funding these activities from the KTF, because over the years the CDFG has continued to pull their funding out of the Klamath basin, shifting the burden to federal sources. I will commit to finding a solution. The KTF had a thorough discussion about alternative sources of funding. The Five Chairs should also discuss this.

Wilkinson: Mike is correct, and this has unraveled the KTF budget process. Is there a scheduled meeting of the Five Chairs? I realize the Five Chairs aren't bringing in new money, but they need to advertise the need.

McIsaac: Ron, what is the status of the Five Chairs coordination meeting?

Iverson: I've held off on scheduling the next Five Chairs meeting, because of the imminent departure of Dale Hall from the KTF. A new chair might be named in the near future. There is no meeting scheduled yet.

Fletcher: If we said we couldn't monitor part of our fishery, a lot of people would scream. It's important to Virginia and the group she represents, and there's a trust issue here. I want to see a real prioritization. This seems to be a similar amount of money as required last year, but if we are going to be invited into this problem, we need to see the whole funding base before we define the priorities.

McIsaac: Rob, last September when the depth of the shortfall came as a surprise, we requested you let us know about this earlier, and you have done that. Regarding the internal decision on the AFA funding shortfall: is there an across-the-board treatment to this shortfall, or was there prioritization?

Collins: I don't know. They did recommend an internal funding source for that-- sport fish funding. I don't think that's going to fly.

Orcutt: The Hatfield Coordination Group is going to look at federal funding sources for the entire basin. The state funding also needs to be on the table for discussion. I believe whatever comes up will be a lot different than last year.

Bits: There is a bill introduced in the California State Assembly this year, AB 1315, that would restructure landing taxes for product delivery into California and substantially increase CDFG revenues. This won't much help for this year, but I hope CDFG will support this bill.

McInnis: Rob, what is the timing on this?

Collins: Fiscal Year (FY) 1997-98 begins in July.

Orcutt: The activities begin in the fall. Marking of yearlings begins in August, 1997.

McIsaac: So this is FY 1998?

Collins: No; it is FY 1997.

Orcutt: Mr. Chairman, what do you suggest as a recommendation from this group?

Collins: The Five Chairs meeting is a good suggestion. We are concerned about the lack of the information.

McIsaac: Mike, you alluded to an ad hoc forum last year. Do you have a suggestion?

Orcutt: I would suggest, absent the Five Chairs, that there be Hatfield Committee conference calls on a semi-monthly basis. Answers are needed pretty quickly, before the KTF process begins.

McIsaac: Does the Hatfield Working Group have funding capabilities?

Orcutt: There are federal sources like Jobs-in-the-woods. They don't have funding authority, but they could make

some recommendations.

Wilkinson: The Hatfield Working Group does have authority, but what Mike is referring to is the Hatfield Coordination Group. The KTF has two members that serve on it. Troy is on it.

Fletcher: The group is actually called the Klamath Watershed Coordination Group. The group could give guidance, not money. Mike is suggesting we need awareness of these issues in the long-term. Last year we were aware of that, but didn't take specific steps. In the KTF we have talked about identification and prioritization of monitoring needs for the Klamath Basin, and putting those in a document that we can refer to when addressing funding.

Iverson: Is the CDFG going to submit any of these items to the KTF for funding in FY 1998?

Collins: I'm not aware of that.

McIsaac: I suggest Dr. Iverson set up a Five Chairs meeting now, before the replacement of Dale Hall, and the agenda include the CDFG funding shortfall. [Inaudible]. Failing both of those, the USFWS can do a one-time end-of-the-year funding.

Iverson: Rob, do you know when your internal negotiations are going to bottom out?

Collins: We should have the answer fairly shortly.

Wilkinson: The Technical Work Group (TWG) prioritizes proposals to the KTF. Every year the KTF and the budget committee are faced with critical, meaningful, projects that fall below the cutoff. We never know whether, by whom, or when these projects will be funded. I don't like that.

Orcutt: The next KTF meeting is on April 23, 1997, in Eureka. That is one opportunity to discuss this. The Klamath Watershed Coordination Group should discuss this by conference call.

Fletcher: Rob, you mentioned removal and decoding of CWT's at the Iron Gate Hatchery. How many tags?

Collins: I don't know. It is a substantial amount.

Iverson: Regarding the receipt of USFWS funding like last year: the outlook is not positive for that. We must balance our books on a geographic basis, in this case in California. We have quite a pool of red ink in California, owing mostly to the well-known Headwaters issue. The probability of having surplus funds at the end of the year is not good.

16. Trinity interim flow recommendations (Orcutt)

Orcutt: We discussed this issue at our meeting in Santa Rosa in February, 1997. I want to alert you to changes that have taken place since then. There was meeting December 2, 1996, to discuss Trinity interim flows. A range of interests was at that meeting, including agriculture, hydropower, tribes, and counties. In light of the fact that the provisions of the Central Valley Project (CVP) had not been met, the U. S. Bureau of Reclamation (BOR) Regional Director Roger Patterson committed to reconvening on February 15, 1997. In reconvening, the U.S. Geological Survey (USGS) was to do an analysis of the needs of the juvenile salmonid life history. We wanted to back up our natural escapement with flows to protect those phases of production. We put together a flow proposal of about 87,000 acre feet above the 340,000 that's now available. The analysis was completed March 13, 1997. Then we were advised that although we had a near-flood event New Year's Day, February was dry, and water would not be available as hoped. At a meeting of the Trinity Technical Coordinating

Committee, we were advised we would hear on April 4, 1997 what the flow would be. We met with Roger Patterson and Dale Hall and some operations people last week, where we decided to convene a meeting of the technical experts to define needs for outmigration flows and temperature controls, and then convene a meeting of the policy people to see their reactions. That meeting is scheduled for tomorrow at 2:00 pm. The bottom line is: we put in a proposal for 87,000 acre feet to protect critical life history, and now DOI is putting forward 30,000 acre feet.

Bits: How does this fit in with the progress of the programmatic Environmental Impact Statement (EIS)?

Orcutt: There is an EIS for the flow decision on the Trinity, and there is the programmatic EIS for the Central Valley Project Improvement Act (CVPIA). The EIS flow report calls for a range from 365,000 acre feet in a critically dry year to 750,000 in a wet year for geomorphology and channel shaping. I believe the DOI is consistent with the EIS.

Barnes: I believe the 365,000 acre feet proposed in the EIS is a minimum in a very dry year. This year in the Klamath Basin we have a normal year, so what they are proposing is only 340,000 plus 30,000, or only 5,000 over the proposed flow for a critically dry year. What they should do is probably 40,000 over the dry-year EIS value.

McIsaac: Mike, will this be brought up by the KTF at their meeting on April 23?

Orcutt: There will probably be a decision made by then. Our own opinion is: we have the scientific data, and we need DOI to come out more strongly in support of the science. We wrote a letter to the Secretary of the Interior to that effect. There will be litigation here no matter what the outcome.

McIsaac: Can you provide a copy of that letter to the Council members?

Orcutt: I will report back on Wednesday.

17. Iron Gate Flows (Fletcher)

Fletcher: During this week, a federal team composed of NMFS, BOR, USFWS and the Bureau of Indian Affairs (BIA) will put out a draft advisory document on the Klamath River, identifying deliveries to agricultural interests, and lake levels to be maintained to protect endangered species. There isn't a lot of science there yet, but we hope they use the science available. We need to learn some lessons from the Trinity, so that ten years down the line we aren't wondering if we asked the right questions. The KTF will start an Instream Flow Incremental Methodology (IFIM) scoping, and at the same time the BOR will do an EIS.

Bits: Regarding the available science: are you referring to the flow shape studies provided by the tribe a year ago?

Fletcher: Yes. That is the only complete study. We couldn't wait four or five years for a flow study, so we made a first cut at it based on the natural pre-project hydrograph.

Bits: That hasn't been completely accepted yet. In the meantime, are we still looking at Federal Energy Regulatory Commission (FERC) minimum flows out of Iron Gate?

Fletcher: As a result of our study, we no longer argue for FERC minimum flows. We need to look at the natural hydrograph, which means a little higher flows for outmigrating juveniles in April and May.

18. Spring chinook management (Orcutt)

McIsaac: I gave staff a rough hand-written copy of the agenda to type up, and although this item was on it, I meant it to go under long-term assignments to the TAT. Let's move Agendum 18 to right before we recess. We will break now.

Bits: I hope to meet with the Oregon and California ocean representatives during the break. Is that possible?

McIsaac: Let's take a full 15 minutes.

Break

19. Report from TAT

Barnes: The TAT has revised the numbers in our new stock projection report, revised April 7, 1997 (Handout L). Look at Page 9. These are the summer equivalents to be accounted for in the 1997 fisheries. The number has changed slightly since Sunday. The 1993 brood year four-year-olds did not change. We went back to the original CWT data. This final answer dropped about 100 fish from yesterday, for the 1992 brood year. One hundred more went the other way.

These other fish were caught in the ocean but were considered destined to enter the river. See the text at bottom of Page 8. One item we talked about yesterday was what to do with these fish that must be charged directly to the 1996 ocean fishery. This morning we decided we may have to change some numbers in the cohort analysis. Rich Dixon is working on this and would like to report back to you Wednesday.

McIsaac: Why wouldn't you count them the same as if they were caught in August?

Kautsky: If we don't count them in September fisheries as we have done (putting them in the age-five impacts in the cohort reconstruction), then we must move them into August. We need fudge the cohort reconstruction to make sure they're accounted for somewhere, otherwise they're going to vanish into the ether. The cohort reconstruction ends in August. Fall impacts go into the next year's fishery.

Bits: Jerry, would the modeling of late-fall impacts for 1997 be done the same way as described in the two papers yesterday, but with a slight change in the numbers?

Barnes: No. That will go forward unchanged to the STT.

Bits: My next question is on the age-fives.

Barnes: I distributed an extra page (Handout M) showing how we calculated that. We take the in-river run and divide by the age-four maturity rate. Then we subtract the in-river run from that, which gives you the 9,019 fish. Next we subtract the ocean harvest of the age-four fish (1082), and then apply the survival rate. That's how we wind up with the age-five prediction.

McIsaac: Does this change the allowable ocean harvest rate?

Barnes: This changes the input of age-fives to the HRM. The available fish are slightly lower.

Bits: By about 850, of which 100% are assumed to mature.

Barnes: Right.

Orcutt: Do we still have an opportunity to make long-term TAT assignments? I want to have the birth date change issue looked at.

Barnes: This whole process is still to be reviewed by the STT. It is still open for analysis.

Orcutt: I will bring this up at the appropriate time.

Bits: What is maturity rate applied to age-three fish?

Barnes: It is 0.374.

Bits: It looks like if you applied maturity rates to the age-three populations on page 7 (of Handout L), you get about 1,500 more fish spawning in the river (absent fishing) than you're showing here. I'm taking the age-three population times 0.37, and the age-four population times 0.9378, and the age-five population times 1.0, and I get about 88,300 instead of 86,800.

Barnes: Thank you, I'll check it.

20. [Item 9 from April 6 agenda]: Review KFMC motions and harvest recommendations from the meetings of March 2-5, 1997

McIsaac: Yesterday staff distributed copies of some draft letters to the F&G Commission, in response to motions passed at our Portland meeting. I have questions regarding their timeliness. One draft letter (Handout N) dated March 17, 1997, came out of a motion to recommend that the F&G Commission do their business in a manner that meshes with the timeline of our business. The second letter (Handout O) dated March 14, 1997 gets to the motion about marking steelhead and coho. Staff has distributed the KFMC statements made to the PFMC on March 4 and March 5 (Handout P) that outline our motions. I'm looking for the letter that refers to the motion described in the March 4 statement, on a 15% allocation of the non-tribal share to in-river. Do we have one of those?

Iverson: No.

Kirk: I thought the issue of percentages came up in February in Santa Rosa. I thought it was in that meeting we passed a motion for 15%, not at the March meeting.

McIsaac: I think at Santa Rosa we asked the TAT to model a 1/3, 1/3, 1/3 allocation of the non-tribal share to compare with other scenarios.

Kirk: Then in Portland, I thought we got a letter back from the F&G Commission reacting to the 15% allocation.

McIsaac: Yes, near the beginning of the week in Portland, we received a letter from the F&G Commission that mentioned the 15%. On Thursday of the Portland week, we got another letter from the F&G Commission that said they were still open to the question. That's why I thought it was still pertinent that they hear the advice of this Council. We missed getting them a letter before their meeting in Alturas last week. Having missed that opportunity, I thought we should still send a letter on the motion that was passed, absent it being modified this week.

Since there doesn't need to be action before Wednesday, let's all read the drafts that staff has prepared, and have staff incorporate the results of the other motion described in the March 4 statement into the March 17 letter on the timeline consideration for future years.

Bostwick: Regarding the March 17 draft letter (Handout N): I'm not sure it's the Council's business to tell the F&G Commission to meet on the north coast. I do agree they should, but I'm not sure it would be taken right

McIsaac: Why don't you take a look at that last line. Let's all feel free to edit these letters for Wednesday.

Fletcher: I have a major edit. Regarding the March 14 letter requesting marking for selective harvest (Handout O): see the last sentence of the first paragraph, and the first sentence of the last paragraph. I don't believe this was the intent of that motion. I thought the intent was to add more fish into our database, not to go into selective harvest.

McInnis: I don't recall the selective fisheries aspect either.

Bitts: What's being asked for here is substantially different from our original discussion. If what is being asked for is monitoring, then only constant fractional marking is necessary. If it is for selective harvest, then 100% marking is required. It is a huge difference.

McIsaac: In the statement I read to the PFMC (Handout P), it says: "the KFMC encourages the CFGC and CFG to mark hatchery fish in the Klamath River basin for purposes of monitoring (via CWT) as well as in-river fishery management flexibility". I suggest we wait for the minutes of the Portland meeting, since this is not a time-constrained issue. Staff, put this on the agenda for our next meeting.

21. Develop additional recommendations for 1997 salmon harvest management

McInnis: Is it appropriate for this Council to talk about contingency planning? On Friday of this week, the PFMC will make a recommendation to the Secretary of Commerce for an ocean salmon season that assumes some in-river allocation for the Klamath stock. If the F&G Commission decides to do something other than what the PFMC based their ocean salmon regulations on, then NMFS is left to re-engineer the ocean salmon fisheries to make sure the spawner floor is met, and that there is 50/50 tribal/non-tribal sharing. NMFS can do that on its own after the results of the F&G Commission's June meeting. Or we can ask the PFMC to build a contingency season that would be put in place by an in-season action under the framework fishery management plan, rather than by an emergency rule. Or we can ask the PFMC for guidance as where to make cuts in the ocean fishery. This is the last shot for the KFMC to get their voices heard by the PFMC on this issue, if this contingency plan is to be done in an organized fashion.

Wilkinson: I don't share Rod's uncertainty, because the motions we forwarded to the PFMC were products of consensus of this group. I don't think we should try to adjust to the doom and gloom forecast. We made our statement to the PFMC, and I hope the F&G Commission will follow those guidelines.

Bitts: I agree with Keith. I have no qualms about leaving NMFS in that position.

Bostwick: Does Keith want to leave NMFS to make the decision? I know that motion went forward, but our intention was securing a minimum at 15%, because it sounded like maybe someone would dip us below the 15%. That was voted on strictly to secure our minimum. I realize the motion didn't say that. In February the in-river sport people made that point quite clear. It was something we were accused of not doing last year. I have no idea what the F&G Commission will do, but I think they will move off the 15%.

Kirk: We don't know what they will do. We have a series of letters from Robert Treanor, and correction letters. In a letter of March 5, 1997 to the PFMC, the bottom paragraph says "the Commission will be receiving input on its ocean sport fishing regulations at its 3/7/97 meeting, and based on that testimony, we will be sending you a letter with follow-up proposals." That was a month ago, but we haven't heard a response. Yesterday Hal Cribbs

said a letter may come shortly. Where are we going to get adequate information to prepare for this? In Santa Rosa in February, Robert Treanor agreed to keep us informed and have conference calls. But once again we are sitting here waiting. I think they will make a change, but we won't know until June, so we should stick to our process.

Orcutt: Maybe in our letter to the F&G Commission we could invite their Executive Director to come show us what their process is, right in front of us. We need a firm understanding of their process.

Bostwick: I agree.

Fletcher: Can we get them here on Wednesday?

McIsaac: I am disappointed we didn't get them a letter this week. We weren't aware they would be meeting so early in April. Should we respond to Rod's request by offering a motion? [Inaudible].

Wilkinson: I would not offer or support a motion.

McInnis: The 15% in-river portion is only one part of the allocation. If any one allocation is changed, then all of them change. If the 85% ocean allocation decreases, how you want to split that up?

Wilkinson: I don't want to get into the what-if's at this time.

Orcutt: We have some concerns about the structuring of seasons and its impacts on spring run chinook, and on late-run chinook stocks. It seems like some people are biding their time about setting up the seasonal approach in the recreational KMZ fishery. We want reasonable assurance that the spawner escapement floor will be met.

McIsaac: Please see some material my staff prepared, and I had staff distribute (Handout Q). A motion passed in Portland that one of the options brought before the public have a seasonal approach. This shows the track record of the KMZ sport fishery, in terms of them catching their quota and harvest rate. You can see on page 1, from 1988-1990, the post-season estimated catch was over the pre-season expectation. From 1991-1996, the opposite was true. On the lower part of the page, where forecasting error is reduced in the equation, it is similar. The fishery has not caught the expected harvest rate. In 1996, this was partly by design, and the harvest rate was 94% under expected. I hope this information would be taken into account by the Council.

Fletcher: A document Rich Dixon gave out yesterday (Handout I) also points that out.

Kirk: The season structure sent to us in the Preseason Report II states that 15% of the 17% ocean impacts in the KMZ ocean sport fishery would be set aside to ensure the harvest rate does not exceed the pre-season expectation. The buffer that NMFS asked for is in place. There will be a quota option as well as a seasonal option. A heavy buffer was put in place last year, because it was the first seasonal management approach in a while. This year we have a 60-day season; last year it was 92 days. On top of that, weather always dampens the season. With a one-a-day bag limit, when bad weather hits during our open periods, it's a built-in buffer. What better case can we build than to look back at these six years of data?

Bits: Regarding the application or subtraction of the fall 1996 five-year-old component of the 1997 catch: there are at least two ways to handle them. One is to take them off the top of 1997 ocean share and then do the allocation of what's left. We already passed a motion that we would not do that in the KMZ sport fishery. The other way is to assess those impacts in the fisheries where they occurred. This will be difficult for the September fisheries in California, where that is the only time the fisheries are open. Presumably, if we were to do that, those impacts would come off the fisheries that are open earlier in the season in California.

Wilkinson: Mr. Chairman, will this paper (Handout Q), be forwarded to the STT? This shows (under harvest rate of age three and four run-size) that in the year base that's used, all but one year was quota management. To me that is supportive of seasonal management in 1997. Should there be a Council action to forward this to the STT?

McIsaac: The STT will use it anyway. This is for the KFMC to use in their evaluation of the risk of seasonal management.

Bostwick: How does the 1997 seasonal approach compare to last year's as far as time limits, number of fish, number of days, etc.?

McIsaac: I will ask our TAT chairman. How does it, Jerry?

Barnes: I'm not sure.

Kirk: We were open 92 days last year, and this year's option has 60 days. The difference is based on abundance and the buffer.

Fletcher: I don't want to get in the habit of forwarding things to the STT, like what we did yesterday. I want to have a free exchange of ideas and information between all the technical people. I don't want us to have to make those calls.

Orcutt: I hold a similar view. A question on the data you handed out: was 1996 the only time seasonal management was used between 1988 and 1996?

McIsaac: Yes.

Kirk: In Portland we passed a motion to endorse seasonal management in two options. That has gone to the public and there has been a lot of discussion. **I ask for a motion that the KFMC recommend a seasonal approach for KMZ sport fisheries for 1997 as a single option to the PFMC.**

Bits: **I second.**

22. Council discussion

McIsaac: Discussion?

McInnis: Is this with buffers similar to what is already in the options?

Kirk: Yes.

Bostwick: You said there are 30 less days on the water in 1997. I thought the Triplicate newspaper quoted you as saying 10 days less.

Kirk: That was the difference between Options 1 and 2 for this year. There are 70 days of fishing opportunity with a quota, and 60 days with a seasonal approach, because of the buffer.

Bostwick: And it has been modeled, and everyone feels comfortable that you won't go over?

McIsaac: You can't rule out anything with certainty. But what is the risk? To estimate that you look at past years.

Bostwick: I remember once under the quota system, we reached our quota on the Friday of Labor Day Weekend, and the State shut us down. Meanwhile the ocean sport reached its quota, but the feds said they had no mechanism to shut them down. They had no intention, politically, to close them before the weekend was over. If there is a runaway season, is there any mechanism to deal with it?

Bitts: We definitely had a runaway season in the KMZ sport fishery in the 1980's. But how could we get a runaway season with one-fish-a-day four-days-a-week, unless a lot of people were cheating, and the State wasn't paying attention?

Kirk: A one fish bag limit is the minimal confidence level for marketing opportunity.

Bostwick: If the F&G Commission comes in with a higher number for us, then how will it change the season? What security is there for us?

Kirk: I posed that question to Robert Treanor in Santa Rosa. How do we effectively react to late adjustments? He said there could be conference calls if necessary, involving all parties, to close seasons or make appropriate adjustments. We invited him to this very meeting, but he is not here to fill us in on what went on in their recent meetings. What provisions do we have in our bag of tricks to deal with maintaining seasonal management? If we must have our season further dampened, we are willing to fish for less days.

McIsaac: Rod asked if this Council wanted to offer advice on how to adjust ocean regulations in the event the F&G Commission gives a greater percentage to in-river. Everything will be on the table in that event, unless someone here wants to set some contingencies as advice.

Bostwick: Didn't this Council recommend the seasonal approach?

McIsaac: We recommended that it be at least one of the options.

Bostwick: Why put it back on the table then?

McIsaac: Because it was only one of the options.

Fletcher: Will NMFS schedule a June meeting after the F&G Commission meets?

Bitts: Aren't we discussing a motion on the floor?

McIsaac: This is informational to the motion.

McInnis: If the PFMC doesn't give us guidance this week, then NMFS will operate under the emergency rule of the Magnuson Act, and will take any actions we see fit, in consultation with the State. Flexibility in managing the ocean fishery for Klamath impacts will be gone by June anyway. There are no commitments to convene a meeting.

Orcutt: We did abstain from last meeting's motion on seasonal management after we were pushed against the wall. We still need to hear from the public and review the data on this motion. With that said, we are supportive of the intent of seasonal management.

McIsaac: I agree, and encourage the question not to be called for. Let's look at public comment now.

23. Public comment

Welter: I'm Jim Welter from Brookings. As you look at Dr. McIsaac's handout (Handout Q), remember that the last three years we have had zero coho fishing. Five years ago we had a waiting list for moorings, and now our harbor is half empty. The effort had dropped due to reduced fishing opportunity. I don't see the coho coming back any time soon to change that. A lot of people won't come for one fish a day, four days a week. If you go any further, we'll be out there without hooks.

Crabtree: I'm Russ Crabtree, manager of the Port of Brookings Harbor. I fully support the seasonal concept, and urge you to put that forward to the PFMC. This year we are practicing good conservation. Our Klamath Management Coalition put its tools together in a season structure. We need time and opportunity to keep our communities alive. When I came to Port of Brookings 9 years ago, there was a three-year waiting list for boat moorings. Today that 611 mooring facility is being reconfigured to 376, which is 30% above the current occupancy. Our optimism is up slightly after last year, but it won't stay up without a seasonal concept.

Cribbs: I'm Hal Cribbs. In Portland I made a motion to consider a range of percentages in allocations, and that failed. I then made a motion to continue as one option the 1996 allocation percentages in 1997. That was to insure that the 15% was on the table. My suggestion for a range of percentages was a good one, even though it didn't pass. It would be prudent to ask the F&G Commission what transpired at their April meeting in Alturas.

Bostwick: The F&G Commission is scheduled to make their final decision in June in Bridgeport. Is there any way they can legally move that decision-making process up to May, or is it too late?

Cribbs: Yes, they could do an emergency action, but it would be difficult to do now that they have public noticed their hearings for May and June. The action taken with respect to ocean fisheries on April 4, 1997, (when they tentatively adopted a set of regulations that go beyond the ocean and will have impacts in-river), indicates they want to send the Council a message as to their direction.

Fletcher: They adopted some ocean management?

Cribbs: I understand they adopted a modified Option 2. The primary changes to Option 2 are: 1) south of Point Reyes they're suggesting a 20 inch size limit, and you keep the first two fish you take; 2) in the Klamath River, they're suggesting a range of non-tribal allocation from 15% to 33%.

Fletcher: They adopted this?

Cribbs: They tentatively adopted them. Historically the F&G Commission tentatively adopts regulations prior to their formal adoption, but it very rarely changes them before formal adoption.

McIsaac: Further public comment? We close the public comment period.

22. Council discussion (continued)

Fletcher: In the future, can we get a summary of all the F&G Commission meetings?

Bostwick: I suggest you ask Robert Treanor himself.

Fletcher: I will make that as a suggested change to the letter we already have. I would really like to see a F&G Commission representative here on Wednesday.

McIsaac: We have a motion on the table. Are there any more concerns about a seasonal approach? It might be

good to take more time to think about this.

Wilkinson: A primary motion can be tabled by the Chair if the mover acquiesces.

McIsaac: **Let's table this motion with anticipation of bringing it up on Wednesday.**

Kirk: Okay.

Orcutt: I was reflecting on the public comment regarding the often-overlooked coho in the Klamath River. How do coho fit in the overall season-shaping?

McIsaac: I looked back at the big years in the KMZ sport fishery. July was a good time to catch chinook in the KMZ. [Inaudible].

Bitts: Regarding Robert Treanor from the F&G Commission coming down from Sacramento to Wednesday's meeting: I believe Mr. Borland who sits on the F&G Commission resides in here in the Bay Area. He would be the logical person to invite.

Fletcher: Rob, do you have information on the F&G Commission meeting in Alturas?

Collins: Hal may have a more optimistic [inaudible]. This is the first I heard about this, and as far as I know nobody in the CDFG has discussed this yet. I'm as much in the dark as everyone else.

21. Develop additional recommendations for 1997 salmon harvest management (continued)

McIsaac: Are there other recommendations for the 1997 salmon season?

Fletcher: **I make a motion that we direct staff or the appropriate individuals to contact someone who can represent the F&G Commission, and respectfully request that they appear before us on Wednesday so we can speak to this issue.**

Bostwick: **I second.**

Wilkinson: I will speak against the motion. Realistically, to have a single commissioner come to address this issue would be a fatal error. To invite the whole commission may be okay.

McInnis: Based on a long-ago conversation with Mr. Treanor, I believe he intended to come down here sometime during the PFMC meetings. I suspect tomorrow would be the best bet.

Orcutt: Since he's the Executive Director, he could at least clarify what occurred at their last meeting in Alturas.

McIsaac: Part of this discussion makes me uncomfortable. I don't recall that the motion in Portland called for 15% as one of the options; I recall it was passed as the recommendation for the 1997 option. Having the F&G Commission come and discuss changing the 15% makes me uncomfortable. We should look back at the minutes of the Portland meeting.

Cribbs: I was new to the process, but my understanding was that a range of options was supposed to come forth from the KFMC. I made a proposal for a range of allocations; it didn't fly. In the initial discussion, it looked like further options were going to come forward, so I made that 15% motion to have it on the table. Then as it turned out, no more options came forward. Had I known that, I wouldn't have let anything come out of that Council

meeting. This is not a fair representation of what the in-river people are concerned about.

Bitts: As I recall, there was an attempt to put forward two options for analysis by the TAT: one being the 15%, and the other being the 33%. Both of those motions failed. You then made the motion for the status quo allocation, and that was a stand-alone motion.

Cribbs: That's not the way we see it. I did that to ensure that we didn't lose ground, but I thought there would be other options. One option for seasonal management was proposed, but none came forth.

McIsaac: Let's get to long-term assignments to TAT. I have here: 1) spring chinook management, 2) fall season impacts in the long term, 3) KOHM modifications, 4) run prediction improvements.

18. Spring chinook management (Orcutt)

Orcutt: The TAT has looked at spring chinook management. Our staff has also looked at impact levels over the years, and at putting together a prediction methodology. We had a public hearing of our membership last Thursday. Seasons for spring run chinook are still not set, and we are committed to scoping for fall and spring chinook fisheries. George?

Kautsky: We've been looking at the record of spring chinook tag recoveries. In some years pre-1990, well over 60% of the spring hatchery-origin chinook impacts were taken by ocean fisheries. Then we have a pattern in 1990-1995 of where over 60% being taken by river fisheries. In the late 1980's we started constraining the ocean fishery in the month of May. We haven't finished analysis of the data from 1996, when there was an ocean fishery in May south of Ft. Bragg and up in Oregon. We are interested in seeing whether what we see before 1990 was an effect of early season ocean fisheries.

Bitts: Did you just say there was fishing in Ft. Bragg in May last year?

Kautsky: South of Ft. Bragg.

Bitts: Quite far south. When you do that analysis, I suggest you have the season structure before you.

Fletcher: I recollect in Santa Rosa we made a TAT assignment regarding spring chinook. I would hate to see that assignment in little pieces. I would like to see the whole picture presented at once.

McIsaac: Regarding the spring fish codes showing up in the ocean in 1996: are those the same codes that showed up so late in the river?

Kautsky: There are only two codes; I suspect they are the same.

Orcutt: Our biggest issue over the years has been protection of the natural components. We are working on GSI stuff and have requested scales from CDFG. Have we received them yet? There may be ESU issues in the future.

Kautsky: We had a response to a letter we wrote in December to the CDFG requesting access to scales. We just received a response that they are willing to share, but we need to arrange the logistics. It is almost too late now in the season, but next year we'll be on top of it.

Fletcher: I caution you to treat those scale samples with care, because some GSI work could be done on them in the future.

Bitts: Is it feasible to take a sample of [inaudible] along with the scale sample, and keep it to do some GSI work?

Collins: We will be taking samples this year for GSI work.

Fletcher: We need to coordinate on this.

Bostwick: I have an item I would like considered on Wednesday. I notice the PFMC has done an economic study on the ocean sport fishery. In-river sport has not had an economic study done on it in many years.

McIsaac: It is time to close. Wednesday's meeting will be at 12:00 in Peninsula Room B.

Recess

April 9, 1997 12:00 pm

Meeting reconvened

Members present: Nat Bingham, Dave Bitts, Virginia Bostwick, L. B. Boydston, Troy Fletcher, Ron Iverson (for Jerry Grover), Paul Kirk, Donald McIsaac, Rod McInnis, Mike Orcutt (for Pliny McCovey), Keith Wilkinson

Other speakers: Hal Cribbs, George Kautsky, Jim Welter

Review, approve agenda

McIsaac: I have prepared a short revised agenda, containing some items postponed from prior meetings. Our primary obligation is to make any recommendations to the PFMC regarding 1997 fisheries. After we have taken care of that obligation, we also have long-term assignments to TAT, the letter to the F&G Commission, and our meeting schedule for next year. We also must fit in a public comment period. I suggest we have that before we entertain motions.

Fletcher: I would like to add one item: a two-minute informational statement on the position taken by the Oregon State legislature on Klamath River flows.

McIsaac: Okay.

Bitts: We appear to be developing serious problems shaping the 1997 seasons, resulting from a combination of the remodeling of Klamath impact rates in the ocean troll fishery, and the allocation this Council has made to that fishery of the non-KMZ-sport share in an attempt to achieve equitable seasons. I would like to discuss that.

McIsaac: Are you speaking of the modification of the SOC cell?

Bitts: Both ends were modified: Oregon and the SOC.

McIsaac: Let's flesh out the categories of things to discuss regarding recommendations to the PFMC.

Boydston: My thought would be the analysis of middle and lower Klamath River chinook runs, how we treat them in the analysis of ocean relations. That item could take up a whole hour.

McIsaac: We have a motion that was tabled regarding a seasonal approach in the KMZ. Anything else regarding 1997 fishery management?

Orcutt: We still have a concern regarding impacts to spring chinook in the 1997 season.

McIsaac: Are there others?

Iverson: Yesterday in the PFMC meeting, Mr. McGeoghegan of the F&G Commission made a comment to the effect that science may show that there are more fish out there than have been predicted, and consequently a reallocation in the in-river sport fishery might not be as painful to the ocean harvesters as some think. Is anyone here knowledgeable about this statement?

McIsaac: I will add this to my agenda. I ask staff make to make copies of this (Handout R) and distribute. Let's start with Dave's item, regarding KOHM adjustments.

Modifications of the KOHM

Bits: We have been planning for a 50/50 split of the ocean commercial share above and below the KMZ many years. It is based on the way the catch was distributed in the base period (1986-1990). I believe this worked reasonably well until now. Unfortunately, it doesn't conform with how those fish were taken in the ocean over the last 5 years. In 4 of those years, 2/3 or more of Klamath impacts outside the KMZ were taken in California. This year, the exploitation rates in the model have been changed to reflect that. The rate in Oregon has been dropped, and the rate in California has been raised, with the 50/50 split still in place. The result is that Oregon is looking at a season from Cape Arago to Cape Falcon in which only July is closed, and everything else is open from April 16 to October 30. California is looking at a season in which we are held south of Pigeon Point until mid-July. We get to Pt. San Pedro (just above Half Moon Bay) in the end of July. We get to Pt. Reyes (just north of San Francisco) only in August. To try to equate the two seasons: if California got the same shape of season that Oregon has, we would be fishing up to Forest Mountain (north of Shelter Cove) for 4 of the 5 months of the year. I do not think this was the intent of this Council when we set that allocation of outside-KMZ-sport ocean share of the Klamath harvest. I don't know the answer, but this is untenable.

McIsaac: Dave, is the Southern California description you just gave after the TAT adjustment of the SOC cell?

Bits: Yes. I got this information a half-hour ago.

Boydston: I received it about 45 minutes ago. Compared to the base period, it is a major shift of fish into the Oregon fishery due to these technical adjustments. The technical part is separate. This is basically a reallocation of fish.

Orcutt: What has the observed allocation between California and Oregon been?

Bits: For 4 of the last 6 years, 70% or more of the Klamath impacts in the commercial fishery were taken in California. That includes the impacts from the sport fishery in Ft. Bragg and the Bay Area, which were negligible until last year.

Orcutt: But the intent was to share Klamath impacts between the commercial components. You say it was 70/30?

Bits: Yes. In 1996, with a nominal 50/50 sharing of Klamath impacts, the landings per boat were roughly equivalent in the two states. There were half as many boats landing fish in Oregon as in California. Oregon's landings were half of California's. The fishery is distributed roughly 1/3 of the effort in Oregon and 2/3 in

California.

Orcutt: So the intent of the adjustment is to make up for this discrepancy?

Bitts: One way to address the California fishermen's dilemma would be to make an agreement to base the allocation in some other manner besides the 50/50 split, to ensure comparable opportunity in the two States. I believe that is the intent.

McIsaac: Is some of California's 50% is being reallocated to Oregon, so that Oregon is getting more than 50%?

Boydston: It is getting more than it would if we had used the model before the correction. We had been working on achieving 50/50, but we had been getting 70/30. In the past, there was accommodation for a larger fishery in California by agreement of the fishermen themselves. The corrections have been made to achieve 50/50, which will move a chunk of opportunity from California to Oregon. I question whether it will even be harvested, due to the reduced fleet in Oregon. In terms of harvest opportunity off of California, where we have a large population of Sacramento fish this year: we are talking about a potential reduction of 3 million pounds of fish opportunity by this reallocation.

McIsaac: The modifications of the KOHM were to include an adjustment of the Oregon KMZ troll fishery based on GSI information. Did that free up many impacts?

Bitts: I don't know.

Fletcher: We are starting to make more and more technical adjustments. At this late date, it concerns me. We've heard about the GSI data, but we've never seen a proposal outlining what those adjustments are based on. I appreciate that there are studies on-going, but I'm itchy about making these adjustments. We have adjustments for the September fishery, for southern and northern impacts, for mooching mortality, and for size limits. We're making more refinements to things that weren't accurate to begin with.

McIsaac: This Council did not recommend changing the SOC cell. We recommended only making the normal effort adjustments made every year, and to defer work on any other corrections of the KOHM until summer. The STT did it anyway. I don't know what paring of the SOC cell just occurred. At the microphone the other day, Ken Henry said it could be up to half. They also have not accepted our suggestion to look at fall season impacts on late-running lower-river fish. Did that compensate for that other correction?

Boydston: That was minor compared to this other thing. I was going to suggest later that in 1997 we exclude those lower stock tags from our database, which is based on Iron Gate and Trinity hatchery tags.

Orcutt: We have several things under discussion here. Going back to Dave: if the season was adopted tomorrow, how many boats would shift from the California fleet into Oregon? Another question: I recently saw an experimental request for a gill net fishery in the Sacramento River. How does that figure in? Finally, our process works in the following way: the KFMC makes a recommendation to Dr. McIsaac, Dr. McIsaac makes a recommendation to the PFMC, and the PFMC directs their technical team to do something. But the PFMC can direct their team to do something without it going through the KFMC. That's where the confusion is arising. A southern adjustment hasn't been really looked at here, but they're really looking at doing it.

Fletcher: Regarding L.B.'s remarks: I think its fair to look at the birth date of those late-fall fishes, but I'm not prepared to do what you suggest in 1997.

Boydston: These late-fall adjustments are minor compared to the other technical adjustments we are faced with.

Bits: In response to Mike's first question: boats might have switched from one state to the other in past years, but the potential is minor now, because the number of boats with permits in both states dropped after out-of-state fees increased. In the past we assumed that the bulk of Klamath fish would shift every year, so in any given year, one state would go over, and the other would come in under. Over all, the KOHM has been under, and its performance is not that bad. This modeling adjustment that just occurred will make that impossible-- it locks the shift of fish in the south, rather than allowing it to swing. It will be ruinous to California fisheries.

Boydston: I make a motion that the Council support a sharing of Klamath fall chinook between Oregon and California fisheries based on the recent five year average of actual post-season sharing.

McInnis: **I second for discussion.** When I supported the 50/50 split, it was with our understanding at the time of where the impacts were. I was moved by the spirit of an equal sharing of the fishing opportunity. One reason to reduce the impact in the Oregon cell is the drop-off in fishing effort. We may not be able to balance opportunity fish for fish, but we can balance it in terms of the number of days at sea for vessels fishing in these areas. I am very uncomfortable with all the changes being made in the model at this late point: some made with policy guidance, some without. **Regarding the motion: I would have our recommendation apply to this year only, and then we go back to our own methodical examination of the model in the off-season.**

Boydston: **I accept that as an amendment.**

Wilkinson: I will speak in opposition to the motion. As I understand, what is proposed will change the sharing from 50/50 to 70/30. An advantage over several years has gone to California fisheries because of southern shifts, both in terms of community benefits and catch. Now when Oregon fishers, who suffered through those lean periods, could enjoy the results of many years of smaller impacts, we are being penalized because we have reduced harvest capability. I think some California professionals still have the ability to travel to Oregon to fish. I don't like changing the sharing after we already gained consensus here on percentages.

Orcutt: Is the 50/50 sharing for commercial only? L.B.'s motion just says fisheries.

Boydston: To clarify: it excludes the KMZ sport fishery. It is outside the zone.

Orcutt: Do fishermen maintain dual permits or not? I have heard both now.

Bits: There are 40 boats last year that came from Oregon to California. I would be surprised if there are that many California boats that still maintain Oregon permits. There were many more in the past. I don't foresee an effort shift into Oregon. The way the allocation outside the KMZ sport works: it is mostly commercial, but there are some tiny recreational impacts included.

Bostwick: We passed a motion to affirm the 50/50 sharing. Now we have a motion to change that. Procedurally, what does this do?

McIsaac: At any time we can entertain a motion to change previous motions. I echo Rod's concern with large-scale tinkering with the KOHM model. We have a motion here dealing with the results of a partially tinkered-with model. This council just considered such a thing and recommended against this.

However, effort adjustments, if warranted by the data, have occurred over the years. There was the Coos Bay adjustment, where effort dropped 90%. My impression is that this is not where all the impacts went, allowing Oregon to float up to some generous level. The actual numbers in the Coos Bay area came from years before, when Oregon got over 50% in some years. To control that, we put quotas in effect in the KMZ and neighboring

areas. With no seasonal approach and a small quota of 10,000 fish, people didn't go to Coos Bay. This effort adjustment was appropriate.

In the SOC cell today, they are not making an effort adjustment, they are changing the machinery of the model. This Council felt that it wasn't appropriate to get into that this week. What makes us think there won't be a cellular shift in 1997? However, now it's been done, and some people have seen it, and we have a motion to radically alter the policy of coast-wide distribution. I'm not comfortable with that either. I think we should go back to our previous advice, recommending against a mechanical adjustment.

Bits: I agree with sense of what you said, but what's done is done. **I offer a substitute motion: it is the intent of the KFMC that the ocean share apart from KMZ sport be used to achieve equitable fishing opportunity in the states of Oregon and California without grossly favoring either state. And that that sense of intent be substituted for the current 50/50 language.**

McIsaac: We have a motion on the table.

Bits: I beg your pardon. I thought that motion died.

McIsaac: Let's open public comment.

Public comment

Welter: I'm Jim Welter. It's interesting to hear of people with the problem of too many fish to catch. In the KMZ, we would like to have a separate allocation, so we could shape the fishery to give us an opportunity to fish. There are a lot of sport boats for sale cheap in Coos Bay. In Brookings we managed a good fishery, because in the KMZ we curtailed our effort. You've got a problem that you might have too many fish left over; that's hard for anyone up north to understand. You have more fish than you can catch, but to take opportunity from Oregon to do it, that's not fair. Your model needs to be redone, but not on a short time frame.

McIsaac: Close public comment. I have a question for those who have seen this output. In recent years, with the SOC coming in over, the whole model still came in under. With the correction in the Coos Bay cell, if you had still stayed with the old SOC overage, would the whole model still have come in under, only less so? Has that been hind-casted and demonstrated?

Boydston: No. We have not put all the pieces together to see the performance.

Bits: This SOC adjustment is an overreaction to the adjustment to the Coos Bay cell. Can the PFMC tell the STT to change what they just did?

Boydston: At least we can express a major concern at this last-minute modeling adjustment without review. Right now it is a runaway train. There are all kinds of problems.

McInnis: To respond to the question of whether the PFMC can tell the STT not to do something: yes. This hasn't been reviewed by the SSC nor the agencies with expertise.

Fletcher: The need for academic review also extends to the size limit and other things. We're in a mess. We have not heard how the things we mentioned in our letter are being reviewed. The standard for technical review should apply across the board.

McIsaac: When you ask for a methodology change, it is supposed to go through a methodology change review, to

be completed by the October before it's used. After this Council elected not to recommend an SOC change, the PFMC asked the STT to look at it. I don't think they looked at it; they implemented it.

Boydston: **I would withdraw the motion with the approval of the seconder and reword it as a major concern from this Council at a last-minute model adjustment.**

McInnis: **I concur.**

[Motion withdrawn]

Boydston: **I move that this Council express major concern to the PFMC over this last-minute calibration of the fishery model without peer and public review, and that the PFMC not use any restructured models for use in 1997 management.**

Bitts: **I second.**

McInnis I want to make sure we are not focussed only on the SOC change. I don't even have a checklist of all of the things that have been adjusted. Besides the 27 inch size limit, we have the NMFS analysis of the options' impacts on listed species. I have no idea where we are going or where we will end up if we play with those models.

Bitts: You can assume the commercial share of the winter run chinook impact is de minimus.

Orcutt: People are saying we don't know how these things got to the STT, and now there is a proposed restructuring of management objectives. My observation is that someone at this table is not telling us everything. There are three members of the PFMC here.

Fletcher: I won't let go of this 27 inch size limit bone. I feel like I'm voting on something I don't know about. I'm not clear what we are really doing with this motion.

Boydston: To clarify: **the motion recommends the PFMC not use a recalibrated model for estimating Klamath ocean impacts for 1997 until which time the proposed changes have been peer reviewed and discussed in public.**

Fletcher: I will support that if it includes the issues we raised in our letter.

Boydston: The 27 inch size limit has nothing to do with the calibration of the model.

Fletcher: Yes, but the way those impacts are addressed does affect allocations, etc.

McIsaac: In voting for this motion, you would be voting for the use of the model as it was used last year and other years. There are scalers and effort adjustments put in there, but it hasn't been recalibrated nor had cell modifications. There are no 27 inch adjustments. That can be assessed outside the model.

Orcutt: When the PFMC redirected the STT, what was their reaction to our motions?

McIsaac: What I saw yesterday was a virtual dismissal of the KFMC recommendations.

Bitts: In support of the motion: the model has performed quite well producing an overall ocean harvest rate close

to or under target harvest rate.

Boydston: Let me try a revision of the motion: the PFMC not use a recalibrated model or implement revised management measures (e.g. the 27 inch size limit) for estimating Klamath ocean impacts for 1997 until which time as the proposed changes have been peer reviewed and discussed with the public.

Fletcher: That makes me feel better.

Orcutt: In view of the intent of the motion, my comfort would increase if we had our TAT look at these things in the long term.

McIsaac: We are running short of time. Should this motion pass, I would announce on the floor of the PFMC that we are assigning our TAT to redo the KOHM over the long term.

Fletcher: We won't stand in the way of this motion, but we want to get to those technical issues later.

Orcutt: Is the late-season issue included in the motion?

McIsaac: No. That is not in the KOHM.

Wilkinson: Call the question.

[Motion passes with 2 abstentions]

Bits: I move that this Council request that the PFMC direct its Salmon Technical Team to consider the work done by this Council's Technical Advisory Team on the late fall catch in 1996 for 1997 management measures.

McInnis: **Second.**

McIsaac: I don't think the KFMC can tell the STT what to do. We can recommend the PFMC tell the STT something.

Bits: That is exactly what the motion does.

Fletcher: I offer a friendly amendment, that the accounting for fall 1997 impacts be included in that, as developed by the Technical Advisory Team.

Bits: **Okay.**

McIsaac: Do we need to revote on that? We already passed a motion that is nearly the same. I can just reemphasize that in testimony.

McInnis: I don't think that the motion is necessary if the chair will reaffirm what I heard him say earlier: that he would revisit our recommends to the PFMC and ask them once again.

Bits: As the motion is redundant, I withdraw it.

McIsaac: I'm not on the PFMC agenda until Friday, but I will ask the chairman to put me on today.

Kirk: I ask to bring back the tabled motion: to recommend to the PFMC a single option of season management (Option 2).

McIsaac: The tabled motion from Monday afternoon is before us. Members were going to look at this: the seasonal approach with 15% buffering.

Bostwick: In the years that the fishery went over, weren't those low abundance years similar to what 1997 is predicted to be? Has the data that you gave us Mr. Chairman (Handout Q) been reviewed by the TAT?

McIsaac: The answer to the last question is no, it was not reviewed, but it was not assigned. Regarding the first question: the years that were over were 1988, 1989, and 1990. Those were high years.

Boydston: I'm not sure if that analysis is valid in the context of the ocean sport fishery, because it is influenced by other stocks in the ocean. The Klamath is a small percentage.

Orcutt: We are concerned about the peer review of that data. The trend shown in that table is fairly close overall. The bigger concern is the abundance: 459,000 predicted last year and 155,000 this year. We have a big change in abundance, but are proposing using the same tool as last year.

Bostwick: I feel loyalty to the KMZ, because it affects the community I live in, but I want sideboards to protect us all.

McIsaac: Mike, look at the table (Handout Q), and the pattern of the KMZ coming in under expected impacts. In the years 1991 through 1994 we managed for the floor. In 1992, pre-season abundance was under the floor. Except for 1996, virtually all these are low abundance years. I think this pattern would be expected to be held in 1997.

Bostwick: What happens if the numbers are off, and they come in way over what they should?

McIsaac: We could make no response in-season. It would be taken into account in future years. There is no guarantee, but I feel the risk is minimal given this consistent pattern. It's not a dangerous fishery with regard to the chance of going over or the magnitude of going over. With only one fish a day, there is also a low risk of effort pouring in from other places.

Fletcher: We looked long and hard at this, and the 15% buffer seemed reasonable to us. That's why we didn't veto it.

Orcutt: What was the percent buffer used in 1996?

McIsaac: I think it was about the same as we are looking at this year.

Kirk: I think last year's buffer was higher: about 20%

Orcutt: What was basis for the 15% in 1997?

McIsaac: I have a document I picked up in Portland that says that a conservation buffer should target 85%. That's where it came from.

Fletcher: I wrote that. We asked what it was the year before, and we were told it was 20%. We looked at the

pattern and were comfortable with 15%. If someone else wants a higher level, that's fine.

Kirk: I request we have public comment on this.

McIsaac: Let's open to public comment on the motion on the table.

Public comment (continued)

Welter: Last year we took 20% of the time off at the request of the tribes. This year we started with less time to begin with, and so the 15% reduction will equal the same reduction we had last year. When we had high catches in the area, we were fishing 6 fish a week, 2 a day, Memorial Day to Labor Day. This year we are also shutting down time frames we didn't shut last year. We didn't shut down because of coho impacts until 1991 or 1992. We are now closed 3 weeks in July and 2 1/2 weeks in August to let the coho go up-river, as well as Klamath stocks coming down. There's such a small fleet left that if you crank us down more, you won't save many fish, because we can't impact that many. I think the hooking mortality in the San Francisco area is bigger than our catch. Look at the numbers.

Kautsky: Mike asked where last year's buffer number came from. Was it from science, a comfort level, drawn from the air? In the same way we've forgotten what the spawner floor originally represented, we are establishing a tradition here and moving it forward, yet we are losing the significance of it after only one year. I appreciate Mr. Welter's comments that we've cut back from last year, but last year's abundance was higher. This year's abundance estimate is 33% of last year's estimate. If it was 20% last year, it should be 20% this year, if there was a rational reason for that percentage.

Kirk: I believe the STT called for the buffer, and they came up with the number.

Welter: The buffer was specifically requested by NMFS for spawner escapement. I would like a guarantee that it will go to spawner escapement. Is everyone else is going to do some kind of buffer on their fishery for Klamath stocks?

Bostwick: For the privilege of having a seasonal approach, you have to put some guarantees in there.

Welter: If you look at (Handout Q), we would be better off with a quota. You don't realize the dampening effect of one fish a day, four a week. I don't see a dampening effect of one fish a day in-river; it might help stretch it out.

Bostwick: That's all we take.

McIsaac: Further public comment? My impression is that last year's buffer was an arbitrary comfort level. Look at the figures for 1996 (in Handout Q). With a 20% buffer, you would expect the harvest rate to come in 20% under. Instead they came in 94% under the pre-season expectation. With no buffer, they would have still been substantially under. In 1995, they were 77% under.

Kirk: Call the vote.

[Motion fails with one opposed and one abstention]

Orcutt: I make a motion that a seasonal approach be adopted, but that the number of days buffered be 20% opposed to 15%.

Fletcher: **I second for discussion.** So this results in a reduction of about 3 1/2 days of fishing opportunity?

Orcutt: I don't know exactly.

Kirk: I said earlier that the difference between the quota and seasonal options was 70 days versus 60. I see now the number of days in the seasonal option is actually 58. There are 5 days in the opening, 14 days in June, 6 days in July, and 14 in September. We have an additional closing period this year. The purpose of including three opening and closing periods is to be off the water at all times we have impacts on coho and Klamath fish. This season was crafted by the TAT. We spent a long time on it. If you are going to cut more days off, it will have to go back to the TAT. Which days do you take off? That question is a technical issue, because all days aren't the same. It will take time to analyze. I speak against this motion.

McInnis: I will speak in opposition to the motion. The 15% is reasonable, and 20% may be also. But this Council already hashed out the 15%, the options were put out with 15%, and that's what people commented on. It is not appropriate to make this change. What is the basis for 20%?

Wilkinson: Call for the question.

[Motion fails with none in favor, and three abstentions]

McIsaac: We are running short of time.

Letter to CDFG

Bostwick: I oppose this letter to the F&G Commission (Handout S), especially in view of Mr. McGeoghegan's testimony to the PFMC yesterday. I can't agree that this letter should go forward.

McInnis: I believe this Council passed a motion to send such a letter. If there is an editorial comment, that is okay, but you must make a motion to withdraw the letter.

Bostwick: **I make a motion that we withdraw the letter to Mr. Treanor as written (Handout S, revised draft of draft letter originally dated March 17, 1997).**

[Inaudible] Seconded.

Kirk: I oppose this motion. I find nothing inflammatory here. We voted and took this position on the motion for the allocation on March 5, 1997.

McInnis: The sense of the concluding paragraph hints at future considerations for allocation as well. I would prefer to see the letter edited, rather than to undo business that was done.

Fletcher: Virginia, what if we just take out the entire middle paragraph?

Boydston: Let us clarify that this motion was for 1997 option development.

McIsaac: This middle paragraph is the text of the motion that passed, made by the in-river seat in Portland. Staff verified from the record (Handout T) that the emphasis of this was that it be a 1997 option only. This letter would have gone out before this meeting if not for technical problems. I will allow public comment on this issue.

Public Comment (continued)

Cribbs: This issue that I want to make clear is not contained in the transcript. At the time, I wanted the opportunity to meet with other parties to discuss the issue, but I was told we had to get it done immediately, and it could not carry on into future days. That is in the record. If I wasn't told that, I never would have made the motion, and we would have been afforded time to meet with the parties. Now here we are in the final hour, and we still have unresolved issues. It is inappropriate for my naivete of the process to fall adversely on the in-river sport folks.

Orcutt: Unfortunately that's the way this process sometimes works. We have also been pushed to the limit and abstained on motions, because we had to be out of the room in five minutes.

Boydstun: I think it is appropriate to characterize the motion in the context of developing 1997 options.

McInnis: I see 1997 appearing three times in the letter.

Bits: I think 1997 is addressed in the letter.

Bostwick: I don't want to get caught like you caught me last year. I want to secure my position that that was the minimum. I'm trying to protect my constituents, and I don't think that's an unreasonable request.

Wilkinson: Call for the question.

[Motion fails]

Fletcher: This letter was meant to be sent out before this meeting. What is the merit of this letter now?

Bostwick: I have never seen a letter go out from this Council, except last year to the F&G Commission, without prior approval of this group.

Fletcher: My desire is that the information in the last paragraph still go forward.

McIsaac: Letters have in the past gone out without full Council review. The motion to not send this letter failed. I would be remiss procedurally if, absent editions, I didn't sign and send this letter.

Bostwick: We had another motion on the 50/50 split between the states after new information came out, even though you had already agreed on that. In this case, we have new information from the F&G Commission. All I'm asking is that I be treated as fairly as all of you.

McIsaac: You are entirely free to make a motion reconsidering the motion that passed.

Fletcher: I need clarification. I have two versions of the letter: one we just received (Handout S), and one we received last Sunday (Handout N). There is a substantial difference between them. Are they two different actions?

McIsaac: I believe we saw this letter (Handout N) on Monday and discussed inserting the text of the full KFMC recommendation (Handout S).

Bostwick: I don't think it would be worth the time to make a motion, considering that in Portland Mr. Cribbs tried to get a motion for a range of allocations four times. I can see where the votes are.

Orcutt: I thought the F&G Commission had developed some ability to adjust the predictor in-season.

McInnis: Regarding the statement of F&G Commission president McGeoghegan: the voice of NMFS was not as strong as it should have been when PFMC Chairman Fletcher made comments on where increases in recreational river allocation would come from. Those allocations would come from non-tribal share. We would not be taking that from the tribal share, nor the spawning escapement. Those are set. There was some ambiguity in the restatement by Chairman Fletcher.

Iverson: Regarding the last paragraph in the letter: yesterday L.B. said that the State of California was considering revising its regulatory schedule. Can you expand on that?

Boydston: We want to start earlier in the year.

Bingham: Sorry for being late today; I was negotiating with NMFS on the final version of the resolution on to coho habitat, which has relevance to the discussion here. As abundance decreases, allocation becomes more divisive. I sense that here. It saddens me, because it weakens our common cause and ability to restore fish. North of Cape Falcon, I watched an allocation conflict between two ports intensify to the point that communities are spending hundreds of thousands of dollars on lawyers to squabble over a few hundred fish. Let's try to get over our disagreements. The goal is to work together, restore fish habitat, and share the abundance.

Boydston: **I propose a modification of this letter: a clarification at the end of the first line on the second paragraph, "The Klamath Council recommends the sharing of Klamath fall chinook be allocated for the purpose of developing 1997 regulation options, absent direction from the Fish and Game Commission, in the same percentages as 1996.** I offer that as a motion.

Bostwick: **I second.**

Fletcher: I support the motion.

Wilkinson: I would speak against it. This amendment changes the meaning of the letter.

Boydston: I perceive that at the time the motion was made, there was a major effort to get something to the PFMC. Otherwise we would have had no consensus. Time and again we agree to something to get the ball rolling. I'm just trying to put it in the context of that time.

Bits: I oppose the motion for the same reason Keith does.

Orcutt: I would abstain. In our last topic of discussion, I was told it was too late to do any modeling changes. It's the same situation.

Bits: Call for the question.

[Motion fails]

Fletcher. I make a motion that the draft letter dated March 17, 1997 be sent to the F&G Commission. We need to get something to them about this process.

McIsaac: This motion did pass in Portland. This discussion indicates some discomfort with the motion that did pass. I will edit the second sentence to say "the Council passed a motion to recommend that sharing" rather than

“the Council recommends that sharing”. We’ll send it out at that. It softens the recommendation as of the date of this letter, but it describes what actually occurred. Let’s move on.

Recommendations for 1997 fisheries: spring chinook impacts.

Orcutt: We spoke earlier for Option 2 for the commercial component, because we felt it had the least potential impacts on spring chinook stocks in the Klamath. We will continue to do some scoping, and have some information to share with the TAT. For 1997, we will continue to pursue a commercial fishery for spring chinook on the Hoopa Valley Reservation.

Wilkinson: Are you making a motion or a suggesting a TAT assignment?

Orcutt: We only wanted to focus on 1997, so we are still in that process.

Fletcher: We did a scoping too, and some of the abundance information we had didn’t work with it. Do you have a projected abundance for spring chinook, and if so, can you share that with the group, so we can get a better idea whether the population can support it? This will put a lot of pressure on my constituents to likewise have a commercial fishery.

Orcutt: We are very willing, at a later date. We want peer review. We support putting principles for management of spring chinook on the table. We need to provide the TAT with policy and objectives.

Bits: Ocean fisheries have supported the concept of a commercial fishery on spring chinook for a long time. If it can be shown that there are resources to sustain it, we would like go that direction.

Fletcher: My understanding is that TAT has been assigned, to bring us information to assess our ability to manage spring chinook. I know that is going to be on future agenda. I feel uncomfortable talking about it without that information.

McIsaac: Is there any other discussion with regard to recommendations to other managers, fisheries, or the PFMC? Seeing none, let’s go on.

In-season update of ocean abundance

McIsaac: Do we have any advice to the PFMC on this topic?

Orcutt: A proposal regarding that topic may be pursued in 1997, perhaps by the F&G Commission.

Iverson: My point in raising this matter was to ask whether anyone knew Mr. McGeoghegan’s meaning when he raised speculation that estimates of ocean abundance might be increased by the application of “science”. He implied that there was some data that would support that.

McInnis: At this time, there is not a provision for updating the salmon abundance forecast in-season.

Boydston: I’m sure Mr. McGeoghegan was echoing a common complaint from one of our commissioners about the quality of our science in projecting stock abundance.

Oregon Legislative Update

Fletcher: We passed out a resolution agreed upon by the Oregon State Senate (Handout U) . It basically says the federal government can utilize Klamath project water (from the source of the Klamath River, Upper Klamath Lake) for irrigation purposes only. Other purposes would include water for fish. I hope the constituents that you

represent can weigh in on this. This would mean they could ostensibly drain the Klamath dry. Keep your eyes on it.

Orcutt: I provided a letter that was sent to Secretary Babbitt on Trinity River flows (Handout V). We agreed in the meeting to put together a letter on potential water flows for fish stocks. The potential still exists for increased stream flows for fish survival this year. The deadline is April 15, 1997.

Fletcher: Was the Oregon Department of Fish and Game contacted regarding the Oregon Senate resolution?

McIsaac: I was not personally contacted. I will try to find out.

Long-term TAT assignments

McIsaac: Under long-term TAT assignments, I have: 1) the question of lower river stocks, 2) the birth date issue, 3) consistency in expanding just hatchery tags and not using other ones, 4) redoing the KOHM, 5) run prediction stock recruitment paper, and 6) the economic value of the in-river sport fishery. I know the TAT will not be anxious to get into economics, but perhaps they can use the number of angler days and assign values per angler day to generate some kind of estimate.

Bostwick: I would like them to take a look at it, and perhaps at our next meeting I will make a motion to get some depth to it.

Orcutt: I encourage Virginia to look at the draft EIS on the Trinity, especially the economics, and submit comments on it.

Bits: There is a work in progress by the Institute for Fisheries Resources that is an economic analysis of the costs of failing to restore the Klamath River. I believe it has a section on the in-river fisheries. It should be out this summer.

McIsaac: We can ask the TAT to corral that report and mail it around to Council members. Then when we meet in September, we'll have a more refined assignment.

Kirk: I have a March 26 letter from the Klamath Coalition (Handout W) asking for an examination of a reallocation of commercial salmon harvest. Let's ask the TAT to look at this March 26 letter, and try to understand what the Klamath Coalition is requesting, and report back to us in September.

McIsaac: Troy Fletcher has given me a list of potential TAT assignments. Item 3 on this list would go well toward my presentation to the PFMC on what we have asked our TAT to do as far as a methodological review of the KOHM. It lists: a run-prediction review; an evaluation of the assumptions entered into the equilibrium model and assessment of how the model's performance is affected by violation of these assumptions; and an evaluation and potential improvement of the KOHM, including but not limited to: 1) an assessment of changes in the parameters of the model that have been implemented and a scoping of parameters that may warrant change, 2) an analysis of how shaker mortality is addressed in the model, 3) an analysis of impacts at age-two from changes in minimum size limits, and 4) an analysis of how recreational versus troll fisheries are modeled. I want to leave the PFMC with the impression that we have asked our TAT to do a thorough review of all aspects of the model, as opposed to a single cell treatment.

Fletcher: I want to stress that the equilibrium model needs to be part of the TAT assignment.

Boydston: I suggest we adjourn, because Dr. Henry is going to be talking about the analysis of [inaudible].

McIsaac: Our last item on the agenda is our meeting schedule for next year. Let's adjourn, and if people have thoughts about our future schedule, they can speak to Dr. Iverson.

McInnis: I have an unpopular thought: with all this model review, we probably need to have a meeting in early summer, so we can digest the information coming from the TAT before September.

McIsaac: **Meeting adjourned.**

HANDOUTS
KLAMATH FISHERY MANAGEMENT COUNCIL
APRIL 6, 7 AND 9, 1997
MILLBRAE, CALIFORNIA

Attachment #1

April 6, 1997

Agendum 2: A. Draft summary minutes and handouts from the February 18, 1997 KFMC meeting

Agendum 5: B. Letter from Troy Fletcher to PFMC Chair Robert Fletcher, dated March 19, 1997

C. Updated stock projection for 1997, revised April 2, 1997

D. Interim method for modeling fall ocean impacts on Klamath River late run fall chinook

Added Agendum 4/6/97 on Klamath Ocean Harvest Model:

E. Attachment 1: Klamath Ocean Harvest Model (KOHM) performance, 1991-1996

F. Attachment 2: Comparison of methods to estimate SOC impacts--age 3

G. Attachment 3: Comparison of methods to estimate SOC impacts--age 4

H. Attachment 4: Comparison of methods to estimate SOC impacts--ages 3 and 4

I. Attachment 5: Summary of management objectives and performance for Klamath River fall chinook (Table 11-5 of Preseason Report I)

J. Attachment 6: Comparison of sport and troll fisheries in the SOC

April 7, 1997

K. Revised agenda for April 7 and 9, 1997

Agendum 19: L. Updated stock projection for 1997, revised April 7, 1997

M. Worksheet showing calculation of age-five prediction

Agendum 20: N. Draft letter to Robert Treanor of the California Fish and Game Commission dated March 14, 1997

O. Draft letter to Robert Treanor of the California Fish and Game Commission dated March 17, 1997

P. KFMC statements made to the PFMC on March 4 and 5, 1997

Agendum 21: Q. Comparison of pre- versus post-season estimates of Klamath fall chinook harvest in the KMZ 1988-1996 (Oregon Department of Fish and Wildlife)

April 9, 1997

- R. Revised agenda for April 9, 1997
- S. Revised draft letter to Robert Treanor of the California Fish and Game Commission dated April 9, 1997
- T. Summary of motions made at the KFMC meeting in Portland on March 4, 5 and 7, 1997
- U. Oregon Senate Resolution 3
- V. Letter from Hoopa Valley Tribe to Secretary of Interior Babbitt.
- W. Letter from Klamath Coalition, dated March 26, 1997

PARTICIPANTS
KLAMATH FISHERY MANAGEMENT COUNCIL
APRIL 6, 7, & 9, 1997
MILLBRAE, CALIFORNIA

Attachment #2

Members:

Donald McIsaac
Jerry Grover
(alternate for Grover: Ron Iverson)
Nat Bingham
David Bitts
Virginia Bostwick
(alternate for Bostwick: Hal Cribbs)
L.B. Boydston
(alternate for Boydston: Rob Collins)
Troy Fletcher
Paul Kirk
Rod McInnis
Pliny McCovey
(alternate for McCovey: Mike Orcutt)
Keith Wilkinson

Oregon Department of Fish and Wildlife
Department of Interior

Pacific Fisheries Management Council
California Commercial Salmon Fishing Industry
California In-River Sport Fishing Community

California Department of Fish and Game

Non-Hoopa Indians
California Offshore Recreational Fishing Industry
National Marine Fisheries Service
Hoopa Valley Tribe

Oregon Commercial Salmon Fishing Industry

Other Attendees:

Jim Anderson
Jerry Barnes
Bob Carraher
Russ Crabtree
Hal Cribbs
Carol Davis
Rich Dixon
Tom Hart
Terry Hauscama
Dave Hillemeier
George Kautsky
Duncan MacLean
Gary Manners
Vlayn McCovey
Dan Viele
Jim Welter
Chuck Wise

Half Moon Bay
USFS, Chair KFMC TAT
Bodega Bay Marketing Assoc., California Salmon Council
Manager, Port of Brookings Harbor
Klamath River Basin Fisheries Task Force
Port of Brookings, Commercial Troller
CDFG, KFMC TAT
MLCFA
Klamath Coalition
Yurok Tribe, KFMC TAT
Hoopa Valley Tribe, KFMC TAT
SAS California Troll
PCFFA, Salmon Strategy Team
Yurok Tribe
NMFS
Port of Brookings
PCFFA

Staff:

Darla Eastman
Juanita Quijada
Jennifer Silveira

Klamath River Fish and Wildlife Office
Klamath River Fish and Wildlife Office
Klamath River Fish and Wildlife Office