DRAFT PROCEEDINGS

KLAMATH FISHERY MANAGEMENT COUNCIL

SAN DIEGO, CA, 2-3 OCTOBER 1990

October 2, 1990.

The meeting was convened at 8:30 a.m. by chairman Fullerton, with all members present (see roster, Attachment 1). Jim Martin introduced Don McIsaac, nominated by the Oregon Department of Fish and Wildlife to Governor Goldschmidt to be the Department's representative on the Klamath Council, replacing Martin.

Correction and approval of minutes and agenda.

Sue Masten provided the following correction to notes of the meeting held May 17 and 18, 1990: In clarifying her option 35 (page 14 of the meeting notes), Sue claimed that expanding boundaries of the Klamath Management Zone would decrease the contribution rate of Klamath chinook to ocean fisheries.

Review of the agenda and meeting objectives (Mackett).

Dave reviewed the agenda (Attachment 2), noting that the Council will attempt to reach consensus on one "alternative"; that is, one group of options. If this can't be done, the Council would decide whether to try to develop two or more alternatives, then divide into subgroups to develop those. This would be followed by a tradeoff analysis to compare competing alternatives.

Review planning system (Mackett).

Dave referred to the planning system flow chart (Attachment 3), pointing out that the Council has reached the "develop design alternatives" step.

Dave recalled that issues, or problems, were identified and structured in terms of which issues tended to significantly aggravate others. Forty-one or so goals were identified and structured in terms of whether achievement of one would significantly contribute to achievement of another. One goal was to define the Council's functions, and those were extracted from the Klamath Act for review. The Council identified six anadromous stocks of interest, and a list of management agencies to be advised on harvest matters. The Council reviewed the standards established for these recommendations by the Klamath Act, such as being based on best scientific information (see Attachment 5 to the notes of the Council meeting held 4-6 January 1990).

Discussion:

- Expand the list of agencies to which recommendations should be made to include the Yurok Tribe, which will soon have fishery management authority.

- The Karuk Tribe should be included also, when that group begins managing their fishery. (Response to both comments): The list of management agencies is taken directly from the Klamath Act, which may have to be amended.

Review options field and the criteria for selecting the best alternative.

Dave went on to review development of a preliminary options field at the May 17-18 meeting. Some options were added late in that meeting, and a revised "preliminary options field", containing all the options identified in May, was distributed (Attachment 4).

Discussion of the preliminary options field:

- (Hayden): The options field seems to have gaps...it doesn't support all the goals we identified. We may get consensus on a plan that leaves out big pieces, big issues. Other problems are that the options field is too complex to grasp, and seems focussed on fall chinook to the point of not really addressing other stocks. (Masten: Mackett told us we will expand on each option in a few clarifying paragraphs. Maybe that will remove some of the complexity and confusion.

- (Martin): The plan is supposed to help solve harvest management problems, and we agreed to focus on the most difficult problem, which is fall chinook. Granted, the harvest options focus on falls, but some could apply to other stocks. The habitat options can generally be applied to all anadromous stocks.

- (Wilkinson): I think Bob Hayden is concerned about steelhead being adequately addressed in the plan. Many of his angler constituents feel this is shaping up as a salmon plan. I agree with Martin that habitat options work for all stocks, but harvest options don't apply well to steelhead.

- (Bingham): One way to test adequacy of the options field is to think in terms of the Klamath basin stocks that might be considered for threatened/endangered status. Does the options field work well for those stocks? (Martin): In other words, if one of those stocks were listed, would our plan give adequate guidance on managing that stock.

- (Mackett): Remember, the options field can always be amended.

- (Marshall): Recall Fullerton's comment, in an earlier meeting, that our current plan (the 5-year harvest sharing agreement) isn't

binding because we didn't go through a process of public and agency review and comment. Let's not make the same error with the plan we are now developing. (Fullerton): Agreed. We won't adopt the plan in this meeting. It will get outside review. (Mackett): We are seeking Council endorsement of the draft plan in this meeting, however.

Mackett then called for a review and definition of each option in Attachment 4, beginning at the upper left corner. Mackett advised authors of options to stick to clarifying statements, and to abstain from lobbying for their options. Dave also requested that new or revised options that come to mind during this process be submitted on cards. Finally, stick to original definitions. If it is desired to modify an option, let's write a new one.

1. Decision Making Process.

Option 21:

Clarification (Warrens): I meant we need a way to get this group off dead center in issues where we continually deadlock.

Discussion:

- In development of the Klamath Act, there was discussion of the need for a procedure to encourage or enforce agreement...but it was not written into the Act.
- Do you mean arbitration by an outside party? A: Could be. The point is to bring about a compromise.
- (Marshall): Mediation and arbitration are different. We tried mediation, unsuccessfully. Arbitration is binding...not sure I would be comfortable with that.
- The current situation is that PFMC acts as arbitrator for us on Klamath harvest decisions.
- (Bingham): True, and PFMC is not comfortable with that role.
- (Reed): Option 21 could probably be adopted without a change in the Klamath Act, because the Council would have acted unanimously to accept an arbitrator's decision. (Fullerton): I disagree - the law would have to be amended.

Option 30:

Clarification (Warrens): This is another attempt to encourage us to reach decisions. If a group such as inriver harvesters felt strongly about an issue, they could unite to veto under a 2/3 rule.

Discussion:

- This would require a change in the Klamath Act.

Option 53:

Clarification:

(Reed): Status quo is unanimity .

Options 54, 61, 62: No clarification needed. (See Attachment 5 for Options 61 and 62).

General discussion of Decisionmaking Process options:

(Hayden): These options just deal with the voting process, but that is only a small part of the decisionmaking process. For example, how do we insure that a given decision is holistic, and has considered impacts on species other than the one at issue? (Martin): I assume we would have a full discussion of issues before we vote, and would consider all pertinent issues. I don't see a need to write all that out in the options field.

2. Harvest Management Strategies.

Option 1

Clarification (Bingham): I refer to management by time and area rather than by quota. This option is to apply to all fisheries.

Option 11

Clarification (Martin): I understand this option was to address the problem of varying stock strength and productivity, with fisheries on mixed stocks. Terminal fisheries on strong stocks would tend to alleviate the problem.

Discussion:

- Implies gillnet fisheries in the Rogue or Sacramento.
- Terminal fisheries don't have to mean gillnets.
- Who would harvest in these terminal fisheries? (Reed): That would depend on which groups get harvest allocations...could be trollers. Option 34 is probably a better statement of the option Jim Martin just described.

Option 19

Clarification (Wilkinson): In this option, Odemar was speaking mainly of steelhead, where wild fish can be successfully released and marked hatchery fish harvested.

Discussion:

- (Masten): Mel also wanted us to target our salmon fishery on hatchery fish.

Option 34

Clarification (Masten): I think this option means to basically manage by terminal fisheries; to catch most of the fish by this means.

Discussion:

- (Baracco): Was this intended to apply to all our rivers? You couldn't manage just Klamath stocks this way, because there would not be an ocean fishery.

Option 35

Clarification (Masten): Intent of this option would be to decrease contribution rate of Klamath stocks to the Fort Bragg and Coos Bay fisheries.

Discussion:

- Does this assume a KMZ quota? A: No assumptions or qualifications...just a shift in KMZ boundaries.

Option 44

Clarification (Masten): I refer to all commercial fisheries, including river fisheries.

3. Resource Assessment and Monitoring.

Option 10

Clarification (Bingham): This may not be practical, but it would improve ocean fishery access to non-Klamath stocks, by permitting release of Klamath fish.

Discussion:

- This option could also fit in the Harvest Management Strategies category.

Option 12

Clarification (Hayden): This was part of a package of options. If managers knew the production potential, we could estimate an ideal balance of stock strengths, and manage for that.

Discussion:

- This is a Task Force concern. (Mackett): It could still be a legitimate part of your strategy, even though another party is responsible for implementing the option.

Option 27

Clarification (Martin): My intent is to broaden our thinking on ways to selectively harvest hatchery fish. Marking is not the only tool we have to target hatchery stocks.

4.a. Organizational Approach.

Option 3

Clarification (Hayden): I would like to see a holistic management of Klamath fishery resources, including habitat. The management group would include tribes, agencies, and landowners. The cooperative could divide up the harvest, to give all members a stake in restoring fish.

Discussion:

- How would the ocean fisheries participate? A: As one of the harvesting groups.

- Would a Coos Bay troller, who catches a few Klamath fish each year, be required to belong to the cooperative? A: Not sure.

- Note Alaska fishery cooperatives, which fund production activities. the California Salmon Stamp program has some of the same features.

- Would - for example - a rancher who makes riparian improvements get some kind of payment? A: That is the general idea.

- (Marshall): I don't see how the accounting would be done, but I understand the intent of the option.

Option 50

Clarification (Reed): This means maintaining the present management organization.

Discussion:

- (Fullerton): Another interpretation could be, maintaining the organization as called for in the present language of the Klamath Act.

4.b. Communication.

Option 15

Clarification (Masten): This option is intended to address such things as an agency dropping a program for lack of funds. We need advance communication on such things.

Option 26

Clarification (Bostwick): When people are more directly involved in developing strategies, they may be more accepting of the outcomes.

Option 56

Clarification (Masten): The intent here is to get better information to the public. We want them informed, but nothing would get accomplished if they were extensively involved in every decision.

Option 57

Clarification: (Reed): The intent is to get all affected groups informed and involved.

5. Escapement Policy.

Option 7.

Clarification (Martin): I mean we should manage for the basic goals of stock conservation and preserving genetic variation...and within those sideboards, maximize harvest for the public good.

Discussion:

- Q: How would those goals be balanced? A: Through actions of the Klamath and Pacific Councils. If those groups fail, decisions could be elevated to a higher level through the Endangered Species Act.

Option 25

Clarification (Masten): My intent is to continue to use harvest rate to manage escapement. MSY would be identified if we continue with harvest rate management for a long enough period.

Discussion:

- (Martin): I believe you are saying: We will seek to identify, through harvest rate management, the level of escapement that yields MSY.

Option 32

Clarification (Bingham): This option replaced the option of closing the KMZ to fishing.

Discussion:

- Q: What is meant by, "all ocean fisheries"? - just the KMZ, or all fisheries impacting Klamath stocks? A: (Warrens): I thought the intent was to include all impacting fisheries, including joint venture midwater or ground fisheries.

- Recent PFMC actions have opened the whiting fishery to Alaska factory trawlers, which will bring them into the KMZ.

Option 39

Clarification (Bingham): I wanted to include river fisheries within the natural stocks constraint - for fairness.

Option 42

Clarification (Martin): The intent here is to reflect the reasons why we manage for natural stocks: To protect them and prevent extinction, and to gain benefits - harvest - from their productivity. When that productivity has been lost through habitat damage, we need to flag that.

Option 49

Clarification (Bingham): This option is part of the PFMC draft Amendment 10, which is about to undergo public review.

6. Habitat.

Option 8

Clarification (Reed): I think the intent was to get flows needed to make fish stocks productive. We are responsible for telling the water managers what flow is needed for that purpose.

Option 9

Clarification (Warrens): I meant that we need more teeth in habitat management rules.

Discussion:

- Q: Including timber harvest? A: Yes.

Option 16

Clarification (Wilkinson): This is another message we need to send to the Klamath Task Force - as is Option 9.

Discussion:

- Won't the 12-year study identify flow needs? A: Yes, in the Trinity River.
- The Trinity isn't getting enough flow to provide for needs of the flow study.
- In a few years, we will need information on flow needs for fish in the mainstem Klamath River.
- At the May meeting, the "black" study team suggested changing "minimum stream-flow" to "optimum stream-flow". (Mackett): Let's stay with the option as stated here. If you propose a revised option, write it on a card for later consideration.
- For the long-term, California water laws and policies need an overhaul.

Option 40

Clarification (Hayden): My intent was to expand our concern from ocean fisheries to all ocean activities affecting Klamath stocks.

Options 40 and 58

Discussion:

- Discussion as to which option is the more encompassing.
- (Martin): Its hard to imagine how you would manage an ocean activity - like oil drilling - to be consistent with a harvest management plan, but it would be possible to manage those activities to be consistent with natural fish productivity of the Klamath basin.

7. Allocation Strategies.

Option 14

Clarification (Hayden): This is part of the package of options I proposed. The intent was to set a long-term allocation target, and a series of interim allocations to get there. I favor allocation of all harvested species in a set - a holistic allocation.

Option 18

Clarification (Martin): My rationale for this option is that there are two basic allocation goals: meeting social needs, and maximizing economic benefit...and it is hard to mix the two. To segregate them, I suggested the two-tiered approach to allocation. At low harvest levels, social needs are more important. As more fish become available, marginal economics becomes more important. Most funds going into habitat and mitigation come from the Federal taxpayer, not user groups,...and the general public has a right to reasonable economics.

Option 20

Clarification (Marshall): My basic argument here was the special status of tribes, which has been accepted for fisheries north of Cape Falcon. My option was dismissed as too complex to implement, but I think the concept of tribes as comanagers is applicable to Klamath fisheries.

Discussion:

- (Bingham): This concept was reflected in the original PFMC Klamath management group, which included tribes but not other harvester groups. The Klamath Act, however, gave other users equal representation on the KFMC. (Marshall): That doesn't change our status.

- (Martin): The State of Oregon recognizes the special status of tribes and deals with them as equals...but that doesn't mean the Boldt management principles should apply in Klamath fisheries.

- (Warrens): Seems to me the Hoopa Tribe is already treated as a comanager. Lyle, how would things be done differently if we adopted Option 20? (Marshall): In fact, we are treated - in the PFMC allocation process, for example - as just another user group, not as comanagers.

- (Mackett): There appears to be disagreement on the meaning of "comanager".

- (Masten): Our harvest management plans have been subjected to much more scrutiny by KFMC than have plans of others. (Fullerton): True, but our intent is to review all plans in detail.

- (Marshall): Hoopas don't intend to submit our 1991 harvest plans for Council review, after seeing the Council exceed its authority in reviewing BIA proposals for the Yurok fisheries - especially the 1989 spring chinook fishery. (Masten): It seems to us the Council has gone beyond recommendations to attempting to dictate terms of river net fisheries. (Reed): Not so - regulation of Yurok fisheries has been by BIA and Interior. If regulation was unwise, they are to blame.

- (Marshall): To sum up, I feel we should be recognized as having the same management status as tribes north of Cape Falcon. I am not claiming that our harvest allocations should be the same as theirs.

Option 28

Clarification (Martin): Individual transferable quotas (ITQs) are a way of dividing an allocation among members of a user group, then allowing those individuals flexibility in how they catch their quota. By deciding to fish from Moss Landing, a troller could stretch a Klamath chinook ITQ into a much larger total catch than by harvesting in the KMZ.

Policy 36

Clarification (Martin): This extends the ITQ concept to include inriver fisheries. There, the individual would choose between different modes of fishing that yield different mixes of hatchery and wild fish.

Discussion:

- (Bingham): How about changing "wild" to "natural"? (Mackett): Show of hands? Majority votes for "natural".

- "Natural" could include some progeny of fish that spawned in the river because they couldn't get into the hatchery. (Martin): As author of this option I say the terms are synonymous for purposes of implementing the option...so natural is acceptable.

Policy 38

Clarification (Marshall): This was intended to address the problem, described to this Council by local people from KMZ ports, that outside trip boats can - in some years - catch the KMZ quota in a few days.

Discussion:

- Area licensing would be needed to implement this.

- Note that the problem did not occur in the KMZ in 1990 - trolling went on through the end of August without reaching the quota.

Option 41

Clarification (Masten): This should be revised to read a minimum of 50% for Indian harvesters.

Discussion:

- That would appear to be the reverse of the Boldt allocation. (Masten): Correct - that is because Indian fishing rights on the Klamath are established by executive order, rather than by treaty.

- Q: Would this option apply to all Klamath fish stocks? A: Yes.

Option 43

Discussion (Baracco): The effect of this option would range from the ocean fishery taking all the Klamath chinook harvest in a year of low projected abundance, to something not too different from what we have seen in years of high abundance.

Option 51

Clarification (Martin): My point is, why beat each other with the same old extreme positions when PFMC has established a range of what they think is more or less fair...Let's use that allocation as our starting point.

Option 52

Clarification (Masten): This means abiding by the 1987 agreement.

Discussion:

- (Marshall): I think this option was advanced in response to Option 51, to show there are different definitions of "status quo".

- (Warrens): Seems like "status quo" should pretty much reflect the features of the harvest management process of recent years. (Masten): I disagree.

8. Enhancement.

Option 59

Clarification (Wilkinson): This option was added by the black team. We meant to expand on Option 5.

Option 47

Clarification (Bingham): My intent here is to make sure the Task Force hears from us about those stocks we are especially concerned about getting restored.

9. Effort Management Strategies.

Option 22

Clarification (Bingham): This would resemble ITQs, but on a collective basis. Blocks of anticipated Klamath fish catches could be traded between user groups.

Discussion:

- An annual trade? A: Yes.

Option 23

Clarification (Reed): This might resemble Option 22, but I was thinking of a government-funded buyout.

Option 29

Clarification (Marshall): This responds to Option 23, and is probably just as unacceptable.

Option 31

Clarification (Bingham): This differs from 29 in that my intent is to reduce effort level. The buyout would be of limited entry permits, rather than harvest allocation. The effect would be to reduce the number of participants in the troll fishery; the troll fishery's harvest share would not be affected. This option should help move the troll fishery toward viability.

Discussion:

- State of Washington buyback of charter boats is an example. Bought-back boats can't be used in any similar fishery in Washington waters.

- How about changing "trollers" to individual trollers"? (Bingham): Sounds good.

Option 46

Clarification (Bingham): This is intended as fishery closure with no government compensation.

Modification of the Options Field.

Dave asked the Council to share additional options that have come to mind, as follows:

1. Decisionmaking process.

Option 60 (Hayden): Based on potential combinations of production of six species, develop a sharing agreement among all users for all six species.

Discussion:

- (Fullerton): This is allocation, not decisionmaking. (Hayden): Decisionmaking is more than counting votes.

- (Marshall): But field #1 says "process", like using Robert's rules of order or whatever. Your option is an allocation strategy. (Hayden): I am trying to get us to holistic decisionmaking.

- (Marshall): Our process is purposely fragmented to break out key steps...the end result is the holistic product, arrived at in steps. I don't oppose your option, just feel it is in the wrong category.

- Q:Which six species? A: The six species of interest listed at our last planning meeting.

- (Martin): You propose to allocate for all species at once so there can be tradeoffs of species? A: Yes.

- (Mackett): Let's vote on placing this option. Majority votes to place it in Category 7, Allocation Strategies (see Attachment 5).

Option 61 (Marshall): Define the process timetable that will require the PFMC's adoption and enforcement of the KFMC agreement.

Clarification: I am concerned that we may go through the planning process and finish with an unenforceable document, like our current 5-year agreement.

Discussion:

- Fullerton: I agree with your intent, but we can't require PFMC to do anything. (Marshall): If we come to agreement and submit it, let's not let it sit there...let's insure PFMC acts on it so it doesn't die for lack of correct procedural steps. (Fullerton): I fully agree with the intent...am just concerned about the wording.

- (Reed): How about: "Establish a stepwise process for KFMC submitting...to PFMC"?

- (Masten): Our members or reps who are on the PFMC would be responsible for getting this done.

- (Martin): I understand Lyle to want the PFMC Salmon Framework Plan to be modified. please note that the framework is not sacred for 5 years or any specified period of time...although they are required to implement the framework. I wonder if you are looking for binding PFMC to more than is possible.

- (Marshall): Possible new words: establish a stepwise process, with timeframe, for submitting a harvest share agreement to the PFMC for their consideration? ratification? I want a strong word here...in order to adopt and enforce our agreement.

- (Reed): All we can do is get it in appropriate legal form and get it to PFMC...we can't force them to adopt.

- (Fullerton) PFMC can't be bound for a fixed period of time ... but do you think they would oppose us if we came to them with consensus? Unlikely.

- (Warrens): Lyle, you want a clear process leading from our adoption to PFMC adoption. I agree with Charlie it is very likely they would adopt any thing we can agree to.

- (Martin): My view of what we will produce is not another version of our first 5-year agreement...but rather a harvest sharing plan that contains more than an allocation formula; it would include criteria for what to do if the situation changes.

- (Marshall):I am concerned about this because flexibility has always been at our expense. I favor a stronger agreement that we will live within over a range of conditions.

- (Naylor): We have never gotten to the point of sending our 1987 agreement to PFMC.

- (Reed): Can PFMC adopt our recommendations into their framework? (Martin): Yes...there is a procedure.

- (Fullerton): Lyle, take out "timeframe", leaving: " Establish a stepwise process for submitting a harvest sharing agreement to PFMC for adoption".

- (Hayden): Shouldn't we make that ..."submittal to other management entities"? (Marshall): Agree. (Martin): Bob is saying, let's bind other managers besides PFMC.

- (Masten): If we have all signed off, doesn't that take care of the "other management agencies"? (Marshall): Okay, let it stand.

- (Mackett): Rewrite it on a card. (See Attachment 5, page 1)

Option 62 (Hayden): Establish a stepwise process for submitting recommendations to other agencies (on a yearly basis). (See Attachment 5).

2. Harvest Management Strategies.

No new options.

3. Resource Assessment and Monitoring.

(Fullerton): We need a process for getting results of habitat monitoring put back into the management loop.

(Bingham): How about: Option 63: "Establish a mechanism for coordination between the Task Force and the Management Council".

4a. Organizational Approach.

Option #64 (Masten): Non-Hoopa representative should be changed to Yurok representative.

Discussion:

- Would require amendment of the Klamath Act
- State laws would be amended to recognize new Yurok status.

4.b. Communication.

Policy 65 (Fullerton): Improve or establish communications with fisheries management authorities on the Klamath in order to carry out our legal responsibilities.

6. Habitat.

Option 66 (Masten): Council review and make recommendations on the Task Force long range plan.

Option 67 (Revision of 66): Council to make recommendations to the Task Force and management authorities on habitat issues as they arise.

7. Allocation Strategies.

Option 68 (Bingham): Set aside the allocation split in the long-term planning process.

Clarification: Let's not try to deal with it - too contentious.

The options field, revised to include the options added in this round of discussion, is displayed in Attachment 5.

Public Comment.

(Dan Petit, Etna, CA):

- Concerned about Council decisions being made in La Jolla, inaccessible to most interested people
- Sees a need for better understanding, among sport anglers, of the nature of the genetic resource...the significance of wild stocks

Council responses:

- The work being done in La Jolla doesn't represent final decisions, but rather the drafting of plan elements. Some of the options written in La Jolla may be dropped before the long-range plan goes to the public.
- Data processing capabilities needed for planning are located in La Jolla, and are not transportable. A PC version of the planning software has been purchased, but not installed.

- (Bingham): Interest in fish restoration appears to be strong in the Yreka-Etna area. Perhaps the Klamath Council should meet there, sometimes.

Development of Strategy Alternative(s) (Mackett).

Dave handed out criteria (Attachment 6) for comparing alternative sets of options, with the goal of choosing a "best" alternative. The first two criteria are quantifiable. Below that, the criteria are arranged in order of how quantifiable they may be. The preferred goal is to select one best alternative...but we have a process for negotiating between competing alternatives, if we must.

Discussion of criteria:

- Are criteria in Attachment 6 ordered in terms of importance? (Mackett): They are not, except that 8 and 9 got few votes at the 18 May meeting, so I don't think they will have much weight...in fact, we will dispense with them unless you insist otherwise.

- How do we weigh a factor like quality of life that has both social and economic facets? (Mackett): We should still be able to compare alternatives using both criteria (1 and 6).

- (Masten): We can't put an economic value on our fishing right. (Mackett): You won't need to for our purposes.

- Will we decide what has economic value? A: Yes, you Council members must do that in comparing alternatives.

- Define cost. (Martin): When I nominated this criterion, I meant cost to society of implementing the alternative.

- How do we balance net gains and losses. Would it be done in dollars, or in costs to people in terms of negative impacts on them? (Baracco): Costs to people are encompassed in criteria 3-7.

- (Marshall): We need a different criterion for cost that takes into account social values. We should separate out direct costs of options - for example, the cost of building something - from the cost , say, to my tribe in terms of increased poverty. (Mackett): I don't agree...but let's pursue that.

- (Mackett): Referring back to a comment by Marshall that a trap is being set here for the tribes, is that the intent of anybody here?

- (Marshall): The process is itself the trap.

- (Hayden): I agree. The trap is our linear thinking, leading us into conclusions that ignore a lot of reality.

- (Mackett): Our process is designed to simplify, because we can keep track of only a few things at once...we try to limit our attention to no more than three things at once. We have 68 options on the board now...if we look at all permutations that would be 68 factorial alternatives - an immense number.

- (Martin): Let's try to select an alternative, these problems notwithstanding. If the outcome doesn't look good, we can adjust , if opponents can show the changes make an increment of improvement.

- (Bingham): I agree. Don't raise objections prematurely.

- (Warrens): Let's trust the planning system. If you don't like the outcome or feel trapped by it, you are will be obligated to say why.

- (Baracco): The basis for objections raised so far is that not all people's value systems are the same. (Martin): That's right...but we don't need to have the same values in order to agree on an alternative.

(Mackett): Let's try to come up with one best alternative. Our process will be to review the entire options field, plus additional options that may be identified, to see whether we can identify a set of options acceptable to the entire Council. The next step would be to agree on a definition, a meaning for each option selected.

The Council began to review each option in Attachment 5 for inclusion in a strategy alternative.

1. Decisionmaking process.

Option 21

Include? Majority opposes 3/8.

Discussion:

- We need another step to resolve conflict. Let's not reject arbitration as a tool.

- (Marshall): Hoopa Tribe does not submit to arbitration.

Option 30: 2/3 majority.

Discussion:

- Intent is to end the single-interest veto.

- We need to break deadlocks, but a 2/3 majority isn't strong enough...if more than 2 people have problems with a motion, we need to reconsider it.

Vote: yes =0

Option 53, status quo.

yes 4

Discussion:

- Let's retain the consensus approval. Any member who doesn't agree with a motion can sabotage a decision in other ways, outside the Council.

- The single-interest veto is not a good way to do business.

Vote is 3y/8n

Option 54, 2 votes to veto.

- (Marshall): One tribe should have the right to veto, as we are sovereign.

- Anything other than status quo means changing the law, right? A: Right.

- (Warrens): Marshall, are you asserting your vote is superior to others?

- (Marshall): I am asserting we have a superior, prior, sovereign right.

- (Warrens): Then why are you here negotiating?

- (Marshall): KFMC was created when our legal status was in question. That is now clarified by the Hoopa Settlement Act...Our fishing rights , water rights, other rights are now recognized as legally superior, and fundamentally different from the privileges of user groups.

- (Martin): There are other forums where we have 20 or so tribes voting and we seldom see them act unanimously, so I think the status of indian rights has nothing to do with how we conduct business.

- (Masten): Note that tribes have not been the one dissenting vote here in the past, on allocation measures.

- (Reed): I am troubled by Marshall's claim that the Hoopa Tribe deserves a veto. The effect is to turn the decision over to PFMC just as has been the case for the past three years.

- (Bingham): I support Marshall's comments, and support the status quo option. We have been the no vote on fall chinook allocation, and I wish to retain the privilege of a veto.

- (Hayden): This is why we need consensus...each of us can go around the process.

Vote: yes 7, no 4 on #54

Option 61, Stepwise process for submitting agreement to PFMC

Vote: yes 11, no 0

Option 62, Stepwise process for submitting recommendations to other management authorities

Vote: yes 11 no 0

Mackett: So, 54, 61 and 62 got majority votes in the DECISIONMAKING PROCESS category. Have we selected an option that will disqualify some option(s) in other option categories? Keep this in mind as we proceed.

2. Harvest Management Strategies.

Option 1

Discussion:

- (Bingham): I support this. Consider the data uncertainties in modeling. Rationale for quotas is often weak. Seasonal management provides more reliable fishing opportunities.

- (Masten): I oppose. Maybe this will work in the future, but presently we don't have mechanisms for inseason adjustments in case of overharvest of Klamath stocks.

- (Bingham): CPUE methodology would do that. I agree we haven't adopted it yet but it is coming. Quotas tend to cause increased initial fishing effort leading to short, flash harvests, which is bad for marketing. A planned season lets us make market arrangements.

- (Wilkinson): We still have many tools, like time /area restrictions, other than quotas.

- (Martin): I agree with the general principle, but there is a credibility problem with time/area management because effort shifts can cause ocean harvests to explode,and there has been no

compensation after the fact for competing harvesters who are impacted.

- (Mackett): Remember this is long range plan, so don't be constrained by a present lack of tools.

- (Fullerton): If we drop the quota tool, it also forces us to drop ITQs.

- (Bingham): I would like to eliminate "not quota".

- (Reed): If you do that, doesn't that leave us where we are now in ocean management?

- (Baracco): Since 1986, most Klamath fish have been taken in time/area fisheries...the vast majority.

- (Bingham): I want to move further in that direction...but agree with Charlie we don't want to give up a tool.

(Mackett): let's vote on amended option #1.

Vote: 9y/2n

Option 11

Vote: 0y/11n

Discussion:

- (Martin): It would take a change in state law to put nets in the Rogue.

- Same in California. The Sacramento gillnet fishery was terminated by ballot initiative, with netters bought out. To reverse that would be very hard.

Vote: defeated.

Option 17

- (Martin): We have to vote yes...our purposes include social benefits

Vote: 11y/0n

Option 19

Discussion:

- Can't do this with gillnets...would have to change method.

Vote: defeated.

Option 55

Discussion:

- Does this mean something like an awful lot of the catch being hatchery? Will that require a big change from the present case?

- This is the best-looking of the remaining harvest management options (in Attachment 5). The rest of the options are weird.

- (Masten): I vote no because we don't presently have a way to get to a primarily hatchery catch, and we have a right to natural fish.

- Could you substitute another word for "primarily" (see language in Attachment 4)?

- How about substituting "target" for "direct"?

- How about adding the adjective "surplus" to describe hatchery stocks?

- In the long term, we expect to have enough natural fish to support harvest.

- (Martin): Let's alter this option to seek more directed fisheries in both river and ocean, target both on hatchery stocks. Scott Boley has proposed marking hatchery fish in order to target them for the bulk of the harvest.

- Remove "river"? Yes.

- (Marshall): The long term goal is to get harvestable surpluses of natural fish...so I assume dependence on hatcheries is an interim phase.

- (Fullerton): Hatcheries won't close.

- (Mackett): Let's look for consensus on a changed option.

- Something like "Heavily direct harvests to hatchery stocks"?

- "Direct harvests primarily to hatchery stocks"?

- (Baracco): The Tech Team has discussed marking hatchery fish to make them the target of harvests. Here are some of our findings that you should consider in writing this option. First, in many years, Klamath hatcheries have been short of adults. Second, natural production is still the bigger part of Klamath and Trinity chinook production. This may cool enthusiasm for targeting hatchery stocks...there may not be much harvest opportunity there.

Vote: 4y/4n

Mackett: Nonvoters? Let's hear your comments.

- (Fullerton): We need to protect hatchery broodstock.
- (Marshall): We tried targeting hatchery fish in 1990 but there was no benefit in so targeting because fish weren't marked and they were in low numbers.
- (Baracco): We could mark all hatchery fish if need be. (Marshall): An interesting idea to pursue but not practical now, from our experience.
- (Martin): I agree in a stock collapse year like 1990 you can't harvest hatchery "surplus", but the normal situation is higher productivity among hatchery fish. Some fisheries, such as weir fisheries and maybe some ocean fisheries can target the normal surplus of hatchery fish. We would be foolish not to take advantage of the higher productivity of hatchery stocks to provide harvest. I agree we aren't technically ready to target hatchery stocks for harvest, but in the future we may be able to.
- (Warrens): I think I can come up with another option that would deal with these objections.
- How about inserting "surplus" to respond to Baracco's comments.
- If we directed harvest toward the hatchery surplus "whenever practicable", would that do it?
- If we are going to protect hatchery broodstock, we have to do this all the time, not just when "practicable".
- (Warrens): Here's my proposed rewording of Option 55: "Design harvest regimes to achieve an appropriate balance between available natural and surplus hatchery stocks".
- Brilliant, Frank! This becomes amended #55 (see Attachment 5).

Vote: 10y

Option 34

Vote: no support

Option 35

Discussion:

- (Masten): This option would reduce ocean fishery impacts on Klamath stocks.

- (Bingham): I oppose. First, Klamath chinook are only in those outside areas for limited times...so managing Ft Bragg for Klamath fish would cut down availability of other stocks...the option doesn't fit what fish do very well. Second, we don't like quota management.

- (Martin): I voted for Option 1A (Attachment 5) and if we achieved that we wouldn't need Sue's option.

Vote: 1y/10n

Option 44

Discussion:

- (Bingham):I support. This is the trollers' basic goal...to get back the seasons we had.

- What does "full" mean...and how does 44 relate to option #1?

- (Martin): I would say this option contains less constraint on harvest than Option 1A, and I am not comfortable with this.

Vote: 2y/9n

Mackett: Summing up, in the Harvest Management Strategies category we selected Options 1, 17, and a new 55.

<u>3. Resource Assessment and Monitoring</u>.

Option 2

Discussion:

- Wonder about funding...feasibility

- (Baracco): I don't have much optimism to offer on instantaneous estimates of stock composition of ocean harvest, for the near future.

Vote: 11y/0n

Option 4

Vote: 11y/0n

Option 10

Discussion:

- This would be an expensive procedure...probably too expensive to be practical. Who would pay?

- To be more practical, the option as written in attachment 4 should be amended to "mark all Klamath hatchery fish".

Vote: 1y/10n

Option 12

Discussion:

- This is a Task Force job.

- (Martin): I disagree. The Task Force is to figure out habitat limiting factors, but our job is to estimate appropriate escapement and harvest levels. For fall chinook, for example, we have been trying for several years to construct a life table for this animal, including an estimate of the optimum escapement.

- (Fullerton) No, this is a Task Force job, although we need the information.

- (Bingham): This is a Council responsibility.

- The Technical Advisory Team has spent much time on this.

Vote: 10y/0n

Option 13

Discussion:

- (Hayden): My intent with this option was to insure that we consider the interactions between species in arriving at escapement targets and harvests.

- (Warrens): I still don't understand what Bob is getting at.

- (Martin): I think Bob is saying: look at the theoretical maximum productivity of each stock if it were the only anadromous species here, then cut that back to allow for each other stock. I don't think we want to get into trading off steelhead for chinook, for example, because that is not practical.

Vote: 1y/10n

Option 24

Discussion:

- What is meant by "immediately"? (Bingham): As soon as fish are brought aboard.

- (Martin): I will vote against this option because I intend to vote for Option 27, which provides the rationale for <u>why</u> we want to identify the fish

- This option says develop a method, not implement it.

Vote: 10y/1n

Option 27

Discussion:

- (Martin): My point in writing this option is that there is no reason to mark unless the hatchery fish are harvestable.

- (Masten): I voted no because the Indian fishery has always gotten the burden of targeting hatchery fish.

- (Mackett): Remember, we are looking to the future with this plan. Don't assume past problems will continue.

- (Reed): I think Sue just doesn't believe the ocean fishery will ever target on hatchery fish.

- Just making this technically feasible doesn't mean Indian fisheries will be forced to target hatchery fish.

Vote: 10y/1n

Option 33

- Isn't this same as #24?

- (Marshall): This option could apply to ocean fisheries too.I agree with Sue that these selective harvest ideas tend to get focussed on inriver, but I think we have to look at new selective methods so we can target on hatchery fish until natural stocks are brought back. Don't construe these comments as my acceptance of a policy - putting the burden of selective harvest on river fisheries - that I don't agree with.

Vote: 7y/4n

Option 48

Discussion:

- o Is 48 part of 2?

Vote: 6y/4n

Option 63

Vote: 11y

New Resource Assessment and Monitoring options.

Option 69: (Hayden): How about adding, "Assess and monitor all anadromous species in the Klamath basin".

Discussion:

- o This is done to some extent now, not for all stocks.
- o How does this differ from Option 12? (Hayden): One looks at potential, one at current status.
- o (Martin): I agree we should learn all we can, even about stocks of less interest, but I wouldn't put much money into monitoring those stocks.
- o (Marshall): I agree with Hayden's point that when we enhance one stock we may impact another adversely, and we need to know that. This relates to Option 13.

Vote: 5y/5n

4a. Organizational Approach.

Option 3

Vote: 0/11

Option 50

Vote: 11y/0n

Option 64

- o (Leaf Hillman): I agree with the intent of the option, but you need to insure the Karuk Tribe is still represented on the Council. How about adding a Council seat for the Karuks?
- o (Marshall): I suggest we examine the record of Congressional intent in passing the Klamath Act. I think the intent was to provide

rights to those Indians having rights on the Hoopa Reservation. The non-Hoopa representative was to serve all the non-Hoopas in that group. The status of the Karuk fishing right is presently unclear. I am not saying they shouldn't be recognized, just that they haven't been specifically considered in the Klamath Act, so seating them on the Council may be premature. In contrast, the Yuroks will soon have sovereignty accompanied by a recognized fishing right.

- (Bingham): Nevertheless, I feel we need the Karuks represented on the Council, as a fishing tribe. if we add Option 64, we need another option to consider the Karuks.

- (Warrens): Is the Karuk fishery regulated and monitored? A seat on the Council implies they would become regulated toward an allocation.

- (Hillman): We have started monitoring our fishery this fall, for the first time, and will continue. The state regulates our fishery to the extent that a geographic area is designated for it, and sale of catch is prohibited.

- (Warrens): So if there were a Karuk seat on the Council, you would expect an allocation, and would submit a harvest plan for Council review? (Hillman): I would assume that.

- (Masten): I disagree.The Indian allocation is divided only between the Yurok and Hoopa. The Karuk catch is not included.

- Suggest that, to 64, we add "with establishment of the Tribe".

Vote:11y/0 n

<u>New options for category 4a, Organizational Approach</u>.

- (Mackett): How about an Option 70, " Add a seat on the Council for the Karuk Tribe"?

- Are there additional tribes with fishing rights? A: the Klamath Tribe.

- (Reed): I am concerned about a series of petitions for membership on the Council. Let's let BIA represent unorganized tribes.

- (Hillman): The Karuks are organized, and have a tribal government. The only other Federally recognized tribe in the basin is the Klamath Tribe.

- (Reed): Congress must have known all this when they established the makeup of the Klamath Council.

- (Martin): The Karuks have no reservation. I understand this is why BIA doesn't manage the Karuk fishery. (Karole Overberg, BIA) That's close, Jim. The actual reason is that the fishery doesn't occur on trust lands. The Klamath Tribe is beginning to show an interest in the fishery management process in Klamath basin.

Option 70

- (Mackett): Let's put Option 70 on the board and vote on adopting it.

- (Bostwick): I am concerned about where their allocation would come from...too many unanswered questions.

Vote: 9y/2n

<u>4b. Communication</u>.

Option 15

Discussion:

- (Martin): We need this. Many errors and foul-ups are due to lack of timely communication. We don't need to communicate on everything, but certain things must be communicated.

Vote: 11y/0n

Option 26

Vote: 11/0

Option 56

Discussion:

- (Marshall): Will we fight over the contents, the slant of articles? How will we maintain an unbiased newsletter?

- (Martin) I assume this public information would include summaries of what we are doing. I would envision this material being produced by Tricia Whitehouse of Klamath Field Office. I would like to see an annual fact sheet on Klamath fish stocks -- their status and trends.

- Newsletters take time and money... can our staff do this?

- (Bingham): I agree the work is expensive, but the Task Force has budgeted for this.

- (Pierce): This type of information is part of the five-year education plan approved by the Task Force in 1988.

Vote: 7y/1n

Option 57

Discussion:

- (Reed): My intent was that we will meet where the users are...the people affected by our actions.

- (Masten): This option could cost money and time. How many users are inland, for example?

- (Fullerton): Considering the problems in the Trinity basin, we might consider meeting there.

- (Bingham): Regarding the question about meeting in upriver locations, inland people have strong feelings about fishery management, especially about ocean and lower river fisheries. Inland people dependent on timber and agriculture feel they are giving up water and other resources for the benefit of the trollers. By the way, I feel we should also meet in Fort Bragg.

- (Wilkinson): Coos Bay, too.

Vote: 9y/2n

Option 65

Vote: 11y/0n

5. Escapement Policy.

Option 7

Discussion:

- (Martin): This is our fundamental job.

Vote: 11y/0n

Option 25

Discussion:

- (Bingham): I am not clear on meaning. We presently have harvest rate management, but we trollers see this as an interim measure.

- (Martin): This option is a sign-off on the current probing approach to determining optimum escapement.

Vote: 10y/1n

Option 32

Discussion:

- Does this potentially refer to all fisheries from Mexico to Canada? Does it include the joint venture fishery, and other non-salmon fisheries within the KMZ that potentially impact Klamath stocks?

- (Reed): Can natural and hatchery stocks be distinguished in the ocean? (Martin): No, but the ocean harvest rate would be limited to what natural stocks can withstand. This is our current management policy.

- (Mackett): Should we add [to the language in the Attachment 4 version of Option 32]: "ocean fisheries <u>that impact KR stocks</u>"...

- Does this conflict with Option 55 under Harvest Management Strategies?

- Would we have to look at effects of whiting fishery, for example, on Klamath stocks? (Martin): Yes. The Klamath Council should take positive stands on salmon by catch.

Vote: 11y/0n

Option 37

Discussion:

- Seems like this is made moot by Option 32.

- (Mackett): All agree we can drop? Yes.

Option 39

Initial vote: 8y

Discussion:

- (Wilkinson): I thought Option 39 was intended to refer only to the river fisheries. (Marshall) I agree. Ocean fisheries are covered in Option 32.

- (Reed): 39 expands the concept of 32 to include river fisheries.

Vote: 11/0

Option 42

Discussion:

- (Masten): I don't agree with this option. It appears to give up on the weakest natural stocks. (Martin): I didn't intend that in proposing it. I meant we would stop, at a certain point, constraining harvest of everything else to prop those weakest stocks up...but we would still try to prevent their extinction. I want to flag these weakest stocks, to cause some habitat changes or whatever is needed to save them. When you get down to 95% hatchery fish, harvest rate management won't save wild stocks.

- Why doesn't Option 42 conflict with Option 7? (Martin): Hopefully we will never reach the point where 42 is activated. My intent with this option is that I just don't want to follow a failing system down the drain.

- Let's say most natural stocks are increasing, but one is decreasing, like the Shasta River fall chinook stock. How would Option 42 be applied? (Martin): We would flag that one, pointing out the need for corrective action.

- (Naylor): Action should precede the stock reaching that threshold.

Vote: 6y/3n

Option 49

Initial vote: 5y/3n

Discussion:

- How can we establish a ceiling on escapement until we know what the basin can produce?

- (Reed): I thought we decided that harvest rate management would get us an estimate of MSY, which should enable us to implement 49.

- (Martin): Agree that could be done, but that isn't the intent...the intent would be to vary (downward) from the .35 escapement rate target in the years of high abundance.

- (Baracco): The Tech Team analyzed the amendment 10 ceiling and we have recommended against that... it wouldn't improve harvest by more than about 2%. This assumes our estimate of the stock productivity -- alpha -- is accurate... which harvest rate management will test for us.

- (Bingham): You looked at a year with one weak, one strong age group in the ocean. What about a year with two strong age groups?

Vote: 2y/8n

6. Habitat.

Option 8

Vote: 11y

Option 9

Discussion:

- (Warrens): We can't accomplish this, but we can set it in motion.
- (Fullerton): This is not an action item for us...let's recommend to the Task Force they take this on. They are responsible to set the habitat standards for fish restoration.
- (Bingham): The Task Force is constrained, in dealing with habitat issues, by the nature of its membership. That is less true of this Council.

Vote: 11y

Option 16

Vote: 11y

Option 40

Discussion:

- How does this differ from Option 32? Consensus: The two differ.
- How does this differ from Option 58? (Martin): Option 58 says, don't do things that decrease harvestability. Option 40 refers to protecting natural productivity.

Vote: 11y

Option 58

Discussion:

- (Hayden): An example would be seismic surveys impacting troll fish harvest. This is not really a habitat option, but a harvest strategy.

Vote: 1y/10n

Option 66

Discussion:

- What if they don't want our recommendations? (Wilkinson): Don't worry -- we want them.

Vote: 11y-0n

Option 67

Vote: 11y-0n

7. Allocation Strategies.

Option 14

Discussion:

- (Hayden): I am not so excited about this one now...but the idea was there would be interim steps to get to a long-term allocation.

Vote: 1y/10n

Option 18

Discussion:

- (Marshall): I don't support this option, on account of the second part. I wonder what "total economics" means...our commercial fishery this year has 15 fish,

- (Martin): By "economic benefit" I didn't mean just commercial values, but nonmarket values too. Ceremonial/subsistence fish would be in the first tier. The second tier would consider distribution of dollars as well as total amount. We have to be able to explain to the taxpayer whenever we deviate from the best cost/benefit use of public funds.

- (Reed): I like this option. We shouldn't reject the concept, even if this particular option is voted down. Let's consider it a fall back...one we can use if need be.

- (Wilkinson): This option allows the tribes to really build a case for an adequate allocation based on tier 1, plus nonmarket values accounted in tier 2.

- (Marshall): How will we build a case? This option puts us at a disadvantage. For example, estimating "absolute minimum need" would require us to quantify our rights.

- Jim, would you define "optimize the total economics" (language is in Attachment 4).

- (Martin): I refer to allocation above minimum needs. For that second tier, we would seek to optimize the total quantity and distribution of both market and nonmarket value....this is what we would show to the taxpayer.

- (Marshall): Having heard that explanation, I still feel this option puts us at a disadvantage.

- (Masten): I don"t support this option. We can't place an economic value on our fishery. It is not comparable to other economic values. Like Marshall, I don't want to define our minimum need. Our right to take fish is unique, and not comparable to that of other users.

- (Martin): Let's admit the economics exist, and the minimum needs exist. if we increase tribal allocation, other people lose. We have to show why. If it done by court decree, so be it. Short of that, we need an objective basis for allocation.

- (Marshall): I agree an economic value can be placed, and that process has been used to the advantage of the ocean fishery. I also agree we probably can't convince anybody of our tribal fishery rights short of a court decision. The economic argument is used by your side, to defeat our side...and that's the end of it.

- (Mackett): Does economic value translate to sale of fish?

- (Wilkinson): No. The value of our fishery is not just the sale price of our product. A bigger factor is the quality of life. This is the reason people choose to live at the coast, and to continue fishing when they could make a much better living elsewhere. Pure dollars is an argument the timber harvesters can defeat us with.

- (Mackett): I can't believe an economic value can't be placed on the Indian fishery.

- (Martin): I agree, and I feel Option 18 will strengthen the tribal case for their allocation, regardless of what Marshall says.

- (Marshall): I also agree that an economic value can be placed on our fishery, but our stronger argument is our senior right to fish and water -- not economics.

Vote: 6y/5n

Option 20

Discussion:

- (Reed): Does the Boldt Decision provide a specific allocation, and do you mean to adopt that same allocation?

- (Marshall): I am not seeking the same allocation, but rather the same role as comanagers at the same level and stature as the states. For example, our harvest management plan is one we negotiate with California as equals. We do not negotiate with this Council....we only want your comments.

- (Masten): We are concerned that, in our negotiations with California, they may demand that we comply with the recommendations of the KFMC. This has happened with our spring chinook fishery and it is wrong...and it happens because we aren't recognized as comanagers

- (Martin): I don't agree, Sue, that your negotiating problems with California are our fault. We aren't taking away your authority...if your two agencies can't make a deal, that is your fault and there is nothing we can do about it.

- (Fullerton): We need to comment before the state and tribe agree and the deal is done - that is the law.

- (Reed): I don't agree the tribes are treated or regarded by us as less than the other management authorities we advise, such as the states. If, however, we haven't adequately reviewed state harvest plans, that is our fault that needs correcting.

- (Fullerton): Can someone tell how the Hoopa/California agreement squares with the PFMC allocation? (Baracco): The agreement was signed 9/24/90 for the 1990 fishing season.

- (Reed): Again, I don't see what is to be gained by seeking to emulate the situation north of Falcon. (Marshall): Okay, let's chop that part out.

- (Reed): That would leave us with: "Insure all fishery management authorities are treated equally by the KFMC...(or) will be given equal credence by the KFMC".

- (Mackett): Let's use the credence version. (Consensus agreement).

- (Mackett): Lyle, what does that mean to you? (Marshall): Equal respect.

Vote: 11y

Option 28

Discussion:

- We need some clarification.

- (Fullerton): How about dropping "institute" and substitute "explore" or some other less troubling verb that won't force us to throw out this tool.

- (Bingham): Trollers are opposed to the ITQ concept,but it may look better in the future. Option 28 is generic and maybe more of a PFMC issue. Option 36 is more specific to the Klamath.

- (Masten): We have an option somewhere about looking into other management strategies. Maybe that could cover ITQs.

Vote: 0y/11n

Option 36

Discussion:

- (Martin): How about substituting "explore" for "use", so we can explore the technique, and not lose it by scaring people.
  (Mackett): Okay, change to "Explore the use of ITQs..." (see language in Attachment 5).

Vote: 8y/1n

Option 38

Discussion:

- (Bingham): Trollers oppose area licensing, which is what this option would mean...mobility between areas is the only thing we have left to keep us functioning as full-time professionals. Option 38 would tend to favor a part time fleet.

- (Masten): Local KMZ port representatives and local trollers have told me they would like to see something like this option implemented...
  but I see this as more an internal matter for the troll industry. I don't want to tell them what to do with their allocation.

- (Wilkinson): Regarding people who have appeared before us seeking our support to reserve KMZ fishing for local boats, I don't feel they have many constituents.

- (Fullerton): I agree with Nat that we don't want a license grid system, but there are other things that can be done to dampen effort shifts into the KMZ.

Vote: 4y/6n

- (Mackett): Considering the close vote, could we add something that would make this option more attractive?

- (Bingham): We could add a statement that we won't preclude or close off fishing opportunity in any area. That concept is in the Magnuson Act.

- (Mackett): We can return to this option if you wish.

Option 41

Vote: 2y/8n

Option 43

Discussion:

- (Bingham): This is the troll fishery's maximum position.

Vote: 2y/7n

Option 51

Discussion:

- (Martin): My intent with this option is to get the Council to settle down to accepting a real world status quo, one that is likely to continue unless a court decision changes the rules. This acceptance would enable us to avoid the annual pounding over allocation which we have subjected ourselves to. That annual battle has detracted from our credibility.

- (Marshall): The fact is, we don't like the current reality or status quo of allocation. This year, it allowed for a Yurok commercial fishery of 3,000 fall chinook.

- (Martin): If you look at the longer record, it is the ocean fishery that has been rolled back, in favor of the inriver fisheries. To move forward, let's drop the dialogue about who has been abused the worst.

- (Masten): I don't agree the ocean harvests have been reduced - not in terms of total catch along the California and Oregon coasts. I concede that the KMZ troll catch has been reduced.

- (Bingham): Martin is right. We used to catch 250,000 chinook in the KMZ, but now are down to a tiny fraction of that. Lyle, 1990 has been a bad year for us just as for inriver fisheries.

- (Masten): We need clarification, from the Tech Team, on ocean harvest numbers. What are the estimates of total troll catch of Klamath chinook? (Baracco): We could provide that information, depending on specifically what you want to see.

- (Marshall): I don't feel 1989 or 1990 provides a good starting point for establishing a status quo allocation.

Vote: 2y/8n

Option 52

Discussion:

- (Masten): The 5-year agreement only runs through 1991. It was my intention, in proposing this option, to honor the agreement for that time period.

- (Reed): I concur that the 1987 agreement should be the starting point for allocation negotiations in each year, but for the long term we should look at something else.

Vote: 4 yes, 6 no

Option 60 (see Attachment 5)

Vote: 1y/10n

Option 68 (see Attachment 5)

Discussion:

- (Bingham): In proposing this option, I meant we should leave the allocation negotiation out of the long range plan, leaving it for the annual negotiation process. It would be nice if we could agree for the long-term, but unlikely. I don't want to see us founder on this point.

- (Marshall): You said earlier we need to work toward a long-term allocation. We don't do this by setting the issue aside.

- (Warrens): the intent of Option 68 looks to be to avoid holding long-range planning hostage to allocation disagreements. I agree with this intent. The strategic plan should set allocation negotiations off in a separate process .

- (Bingham): The plan has many components besides allocation.

Vote: 5y/4n

- (Mackett): I sense some common ground between the two sides on this option, but it is not being expressed.

- (Bingham): I don't mean we shouldn't talk allocation in the longterm plan. I just don't want to put the specific numbers in there.

- (Mackett): Think about this option tonight.

8. Enhancement.

Option 5 (see Attachment 4).

Discussion:

- (Wilkinson): The black group intended Option 59 to augment this one.

- (Naylor): CDFG has proposed one additional hatchery in Klamath basin - on Shasta River.

Vote: 5y/3n

- (Martin): I voted no but would vote for an amended version aimed at exploring artificial propagation.

Option 59

Vote: 9y/2n

Discussion:

- (Masten): I would like to rewrite these last two options.

Option 6

Discussion:

- (Hayden): How about substituting "to strengthen" for "while strengthening"

- (Reed): Virginia, your intention with this option was to increase harvest, right? A: yes.

- (Warrens): Remember our harvest management option (#55) to achieve appropriate balance between available natural and surplus hatchery stocks, need to reword to clarify how these two options interrelate.

- (Martin): Think these say the same thing...

- (Marshall): How about ..."strengthening depleted natural stocks..." to show we will harvest natural stocks when available.

- (Bostwick): Maybe this option belongs under harvest management.

- (Warrens): I disagree.

Vote: 10y/0n

Option 47

Vote: 11y

9. Effort Management Strategies.

Option 22

Initial vote: 7n, 3y

Discussion:

- (Bingham): Inriver fishers might get more money for their fish than on the open market.

- (Reed): Maybe we could talk about a trade of a part of the Indian commercial allocation. That might be worth quite a bit to the trollers, if it would gain them a big increase in catch of non-Klamath stocks.

- (Marshall): I see the logic here, and the potential for economic benefit...but we are looking - in the future - at harvesting and processing too, and our own marketing...so we expect to have a processed product, and won't be dependent on the wholesale fish buyer price.

- (Reed): But it still could theoretically be to your advantage to sell fish to trollers.

Second vote: 5y/6n

Option 23

Vote: 0y/8n

Option 29

Vote: 1y/10n

- (Reed): I don't think we should drop this option.

Option 31

Discussion:

- (Bingham): This refers to a straight buyout of licenses...not buying fish.

- (Wilkinson): I support.

Vote:7y/3n

Option 45

Vote: 0y

Option 46

Vote: 0y

At this point, Mackett asked how many could live with the options field developed so far. Response: 8 yes, 1 no (Hayden), 2 abstain (Marshall and Masten). Comments on the options field included:

- (Marshall): I can live with everything except the Allocation Strategies option (#68) that calls for leaving the numerical harvest allocation out of the plan.
- (Masten): I would like to see wording of certain options changed.
- (Hayden): I don't see how the strategy alternative fits together in a meaningful package.

Mackett proposed that the Council look again, tomorrow, at the options with close votes.

3 OCTOBER 90

The Council reconvened at 0830, with all members present.

Today's agenda:

Review yesterday.

Review laws of design science.

Review and adopt options profile.

Work on design dimensions not adopted.

If we have an alternative we can adopt, we will write it up this afternoon. Writeup will be by a volunteer subcommittee...to be submitted to the whole group for adoption.

If not, we will do a tradeoff analysis, using criteria developed yesterday (Attachment 6).

<u>Review of yesterday's work</u> (Mackett).

Yesterday, the Council went through the options field, clarifying meanings of options and adding some new ones. A start was made on adopting a best alternative strategy, by discussing and voting on each option, beginning with

Decisionmaking Process options and proceeding through the options field. At the end of the day, most of the Council found the alternative to be acceptable -- a minority did not. Today, the group will attempt to resolve differences, still with the hope of agreeing on a best alternative.

Review of the laws of design science.

Dave reviewed design science basics, noting that the value in considering these things could come in avoiding plan failures that are due to basic design flaws.

Design science concepts are summarized in Attachment 7. Points highlighted by Mackett included:

- The law of success and failure calls for convergence toward informed agreement. The application of this for the Klamath Council could be in finding positions that converge toward agreement, as opposed to positions that never come together.

- The law of requisite variety talks about matching the design process and the dimensions of the situation, or problem. The Council's problem has nine dimensions - the nine categories of the options field.

- Dave will be alert to potential violations of design laws, as the Council proceeds today.

Review of options profile, for adoption.

Mackett distributed the options profile as amended yesterday (Attachment 8). Options marked with dark circles and connected to the "tie line" were voted in yesterday. The next step will be to go through each options category, or dimension, concentrating on disagreements. The key question in this process of completing selection of options is:

> "In the context of designing a strategy for the Klamath Council to meet its goals, do you agree to adopt selections in dimension x?"

The goal is unanimity in selecting a best alternative.

Applying the key question to Attachment 8, Council responses were:

Category/dimension 1., Decisionmaking Process.

Vote: Yes 8, 2 no, 1 abstain.

Dimension 2, Harvest Management Strategies.

Discussion:

- Q: We are considering only the options that got majority votes yesterday? (Mackett): Yes.

- Q: Are quotas still a feature of option 1? (Mackett): Yes, but see Option 1.a, which is silent on quotas.

- Q: Category 2 doesn't seem to select modes of management, like harvest rate management. Where is that addressed? (Martin): Dimension 2 speaks to how each user group manipulates their share of harvest. It doesn't cover all aspects of management. Harvest rate management would be addressed in Dimension 5, Escapement Policy.

Vote: Yes 11

Dimension 3, Resource Assessment and Monitoring.

Discussion:

- (Reed) The vote was 5-5 on Option 69...how shall we handle? (Mackett): We won't include it without endorsement by the Council.

- (Martin): I assume all these options are subject to feasibility and funding? (Mackett): Yes...they are options you will seek to pursue.

- (Mackett): Back to Option 69, let's clean that up: in or out?

- (Hayden): By Option 69, I meant finding out what is in the basin, and monitoring to keep that information up to date.

- (Marshall): Bob has raised the issue of impacting other species when we enhance a species of interest, which is a situation we would need to track. Maybe this is all covered by Option 12.

- (Masten): I agree with Hayden that we need to assess status of all anadromous stocks. I feel this is the intent of the Klamath Act. Consequently, I support Option 69, even if there are problems in implementing it right now.

- (Fullerton): We also need some knowledge of each fish stock in order to make recommendations to management authorities on harvest.

Vote: 8 yes

- (Mackett): Option 69 remains in the third dimension.

- (Bingham): Note that Klamath basin is already being monitored more than any other California basin.

Mackett then requested another vote on adoption of Dimension 3, as displayed in Attachment 8.

Vote: 10 yes, one no

Mackett: After we go through the entire options field once, we will come back and ask objectors for their specific concerns.

4a. Organizational Approach.

Vote to adopt: 11 yes

4b. Communication.

Discussion:

- (Reed): The newsletter and flyer called for by Option 56 could be hard to get approved through Department of the Interior. There is concern about too much policy independence on the part of advisory committees. Nevertheless, I still want to try for it.

- (Masten): In Option 65, The phrase,"on the Klamath"...doesn't sound right. (Hayden): It means the authorities that deal with Klamath fish.

- (Masten): Then it seems 15 and 65 are the same. I don't oppose these options, just want to eliminate duplication.

Vote: 11 yes

5. Escapement Policy.

Discussion:

- (Hayden): I am concerned about Option 42.I see Martin's logic, but it seems to oppose the Endangered Species Act.

- (Masten): I agree.

- (Martin): Option 42 doesn't say to manage a stock to extinction. It says: manage for their persistence, but not necessarily for their MSY. In the writeup we need to clarify this.

- (Masten): We don't want to see natural stocks ever get to this point.

- (Martin): I would like to see us clarify which stocks we are managing for...rather than just honor natural stocks as a religious issue.

- (Marshall): Pursuing the concept of natural stock units: We now have an escapement floor of 35,000 natural fall chinook spawners, below which harvest would not be allowed. Jim, are you looking for a number threshold of that kind? (Martin): No. I would propose we ask the Tech Team to assess the productivity (recruits/spawner) of each natural stocks, and then set a threshold of productivity below which a stock can't be managed for .

- (Marshall): Seems like Martin's concept is growing in its scope. (Martin): I am saying the Tech Team should tell us whether stock x is still productive and whether we should manage for it.

- (Marshall): So you are proposing a threshold value of the recruit/spawner ratio? (Martin): Correct.

- (Marshall): And if that ratio is low, we would seek to find out why? (Martin): Yes.

- (Fullerton): We can't overfish natural stocks. Section 602 of the Magnuson Act precludes that, regardless of what we do here.

- (Mackett): Let's vote, bearing in mind this is a strategy plan, not an operations plan.

- (Marshall): I still want this plan to clarify what Option 42 means.

Vote: 10 yes. 1 no

Hayden: Dave, say more about our not designing an operating plan here.

Mackett: This is a strategic plan, not year by year operational planning.

6. Habitat.

Discussion:

- (Naylor): In Option 8, "require" bothers me.

- (Fullerton): It bothers me, too, as does the strong language of Option 9...but I was told our role would be just to recommend to those who have authority to implement these strong verbs. We don't have that authority.

- (Warrens): These are goals, targets.

Vote: 11 yes

7. Allocation Strategies:

Vote: 8 yes, 2 no, 1 abstain

Discussion:

- (Reed): There is inconsistency between 18 and 68 (see Attachment 5 for language of Option 68).

8. Enhancement.

Vote: 9 yes, 2 no

9. Effort Management Strategies.

Vote: 9 yes, 2 no

Mackett: Now our agenda becomes to resolve differences on options in the following dimensions:

1. Decisionmaking Process

3. Resource Assessment and Monitoring

5. Escapement Policy

7. Allocation Strategies

8. Enhancement

9. Effort management Strategies

The Council lacks consensus on these... so we will try to reach agreement on them this morning.

1. Decisionmaking Process.

Discussion:

- (Reed): I suspect Option 54 is the source of difficulty, since it calls on Council members to give up their individual veto. How about thinking of 54 in the context of a choice between our being able to reach a decision, or being forced to punt once again to the PFMC.

- (Bingham): If we California trollers had needed another no vote to sustain our veto of the proposed 1989 recommendation to PFMC, I think the motion would have passed, because the second no vote wasn't there. I had to vote no in order to represent the view of my constituents.

- (Mackett): What problems remain in this category?

- (Hayden): My objection to options that eliminate the one-vote veto is that our strength is consensus. A member group can go around us at PFMC.

- (Fullerton): True, but I believe PFMC will listen to us if we can reach a decision.

- (Masten): I oppose options like 30 and 54. My folks want us to operate by consensus. We should be able to reach consensus through discussion, on most issues. In fact, we have seldom been sunk by one veto. More often, a motion is defeated by several no votes. I don't want this Council to put my constituency in an untenable situation, so I prefer to retain my veto.

- (Marshall): I voted against approval of the Decisionmaking Process category, as now written, because tribes don't usually fare well when a majority rules. if we can't prevent the Klamath Council from reaching a decision we can't live with, we don't get a second chance at PFMC - unlike some other interests here - , because we don't have a seat there. Consequently, I don't want to give up our authority to prevent a decision we oppose.

- (Reed): It seems to me Option 30 - a decision by 2/3 majority - is too loose, yet our current unanimity requirement has been too difficult to achieve.

- (Mackett): It appears the Decisionmaking Process options we now have aren't acceptable. This means you will have to come up with some that are. We can do this as a group or separately.

- (Warrens): Other PFMC members have spoken derisively to me about the Klamath Council's inability to make a decision, after long debate right up to the decision point. You members who are blocking approval of this option category seem to be saying you want to win every time or you won't play.

- (Masten): Please note that we have never vetoed a key motion.

- (Warrens): Hayden says consensus gives us our integrity but I feel the opposite - our inability to decide really detracts from our credibility. 2 votes to scuttle is my compromise.

- (Martin): Remember, we are advisory only. Any member can present a minority report, on behalf of their constituency or agency, to whomever they wish. The issue to me is whether we are stronger reaching some decisions, or continuing to deadlock. If we continue in the latter mode, I assure you we will be dispensed with.

- (Naylor): I voted for approval of this category, and agree with Frank. The Klamath Act calls for consensus...but what does that mean? (Iverson): "Unanimous consent of those present and voting" (16 USC460ss-2(g)(1)(B). This appears to allow for abstention.

- (Naylor): So Option 54 is illegal. (Fullerton): Correct. We would have to get the law changed to operate by anything other than consensus.

- (Bingham): I have vetoed key motions in the past, but I (uncomfortably) support Option 54. I'm not sure my constituency

would support it. On the other hand, consider the United Nations Security Council, where decisions were vetoed by the USSR for years. Now, they are reaching consensus. I wonder if we can't keep the law as it is, but make it work better through our internal operating procedures.

- (Fullerton): Unanimity gives us a strong position. A decision reached with a no vote puts a chip in our position, our consensus. If we have a plan in place, maybe that will avoid some of the last minute conflicts we have had in the past. Getting the Klamath Act amended will be difficult if any group objects, and I doubt the trollers or Hoopa Tribe would accept an amended decisionmaking process.

- (Mackett): How many think the problem of persistent vetoes can be solved? Few. How many want to substitute Option 53 for Option 54?

Vote: 11-0

- Mackett: We will replace 54 with 53.

- (Hayden): I want to add an option: "Establish a decisionmaking process for a sharing agreement for all 6 species." My reason for this: The plan at present is just general statements, but it includes no provision to continue planning to the operational stage, to figure out what will be done. The plan doesn't lead us anywhere...so we need an option to set up this process.

- (Masten): I would say this was already voted down as Option 60 in the Allocation Strategies category.

- (Martin): I would vote against this option because it is premature to worry about allocating all 6 species. Why unnecessarily open up controversies before issues are ripe? We can hardly handle fall chinook.

- (Warrens): Bob, I agree it is hard to comprehend how all this fits together but you are slowing us down by your getting educated on planning. I don't think your objection has weight....not worth our time.

- (Marshall): Bob, I think your concern is covered by Options 12,36, maybe others. I don't think the issue belongs in the decisionmaking process dimension.

- (Hayden): Where have we said we will start talking about numbers of fish? This isn't in our plan yet.

- (Mackett): Bob, would you be willing to hold off on this until we get to Allocation Strategies? (Hayden): This plan leaves us in status quo, which means yearly fights over allocation...but I don't insist the issue be addressed in Dimension 1.

- (Mackett): With changes made today, how many will accept Dimension 1?

Vote: 11 yes

Mackett: Again, the change is to replace Option 54 with 53.

Masten: I have cast "no" votes on the next 3 dimensions. If we can have a break I may be able to write up some revised options that would be acceptable to me.

Break.....

3. Resource Assessment and Monitoring.

Option 24:

- Masten has concerns, but feels that they could be addressed during the write-up process. She will change her vote because she agrees (and feels that the Council agrees) on the essence of this option.

- Barraco feels that people may have the wrong idea for immediate identification of hatchery fish. A fin clip is feasible, other methods of identification do not yet exist.

Consensus.

5. Escapement Policy.

Option 42:

- (Masten): The language should read "establish a threshold for natural stock productivity below which we will re-examine the methods of management for natural fish". This change in wording is needed because we may change the methods of management instead of the goal of managing.

Consensus.

8. Enhancement.

Option 5:

- (Masten): Proposes changing this option to read, "Explore methods of expanding production by hatcheries and/or other means of bioenhancement". This wording would take the place of #5 and #59.

- (Naylor): Proposes changing the wording to, "assess the need for additional hatcheries or other artificial production" to take the place of #5 and #59.

- (Bingham): We should explore small scale propagation of native stocks.

- The group suggested that the termininology be changed to include both statements "assess and explore the need for production by hatcheries and/or other means of bioenhancement" would replace #5 and #59 and be called #5 (see attachment 8).

Consensus on changing #5.

Consensus on the entire Enhancement package.

9. Effort Management Strategies.

Note: This category was later moved to Harvest Management Strategies.

Option 31:

- (Naylor): Concerned about who would pay. Feels that we need to have other options (such as effort shift) available.

- (Fullerton): I am philosophically opposed to buying out the trollers at taxpayers expense, because the resource belonged to the taxpayers in the first place.

- (Warrens): I would like to suggest a language change to "investigate effort reduction techniques that would be acceptable to the industry".

- (Bingham): I feel that the taxpayers should assume the burden to buy out the trollers. We are trying to re-establish a balance between ocean and in-river allocations.

- Discussion on legality, fairness of buying a public resource from private interests.

- (Warrens): I suggest an alternate language change: "investigate effort reduction methods which are feasible and acceptable to the industry or user group that would be affected". Recommends using this to replace #31. By reducing effort we would not drive the fishery down.

- (Masten): I do not like these language changes because they change the meaning of the original option. I would like to leave this column blank.

- Discussion ensued on changing the language to be broader based without putting pressure on any one group.

Vote: Yes 9.

- (Masten): An effort reduction in the indian fishery is not needed.

- (Warren): I am willing to change the words to reflect Masten's concerns.

- (Marshall): I abstained from voting because I am not comfortable with this council making recommendations on industries going out of business. Option 31 is a drastic option that was chosen because the other options were not acceptable.

- (Martin): I propose rewording the statement to "Design harvest regimes to achieve an appropriate balance between available natural and surplus hatchery stocks".

Discussion on effort reduction, (on allocation of indian fishery)(Fullerton, Marshall, Wilkinson, Bingham, Warrens) length of time, number of fish, nation's responsibility towards industry, generic/specific language, creation of this column in the first place.

Mackett refers to the question at hand: In the context of defining a strategic plan for the KFMC do we need to look at effort management strategies? Can we accomplish our goals without this column?

Discussion:

- Bingham feels that we can't participate in this fishery if we can't pay the costs. We all need to ask if there are enough resources to make this all worthwhile.

- Marshall stated that Nat provides a good argument for keeping this option in for the troll fishery.

- Mackett proposes changing the wording to: "investigate effort reduction methods in the troll fishery which are feasible and acceptable to industry"

Original dissenters still dissenting.

Naylor suggests getting rid of column #9 and put "explore effort reduction strategies" under Harvest Management Strategies (column 2).

Mackett asked for a vote to put "explore effort reduction strategies" under column 2, didn't pass.

Mackett asked for a vote to drop category #9, didn't pass.

- Bingham asks that we "seek sources of funding for displaced fishermen". To clarify this: we are going to reduce effort, then we will buy the boats, etc.

Discussion:

- (Bingham): We are a recommendation agency, our recommendations can lead to major changes in California, taxpayers should share the burden.

Lunch

Mackett summarizes where we are so far: 2 categories -- #9 and #7 still loom over our heads...

9. Effort Management Strategies (continued).

Discussion:

- Bingham prepared to change his position, supports dropping category #9.

Consensus.

Option 31 will be addressed under #2 Harvest Management Strategies.

7. Allocation Strategies.

Option 20: All fishery management authorities will be given equal credence and co-management status by KFMC.

Discussion:

Masten changed #20 (as displayed in attachment 5) to include: "credence and co-management status by KFMC". She wants the tribes to be recognized to be at the same level as the states (co-managers). (See attachment 8 for revised language.)

Vote: 10 yes, 1 no.

Reed explained that he questions "co-management" status "with who", "for what"?

Masten clarified that the definition of "co-managers" is the Yurok tribes authority as managers.

Option 18: Establish a two-tiered allocation system...

Discussion:

(Masten): Would others who didn't like this option speak up? I have problems with this one.

- Reed has problems with the wording "total economics" (see attachment 5). He would rather have have it say "equitable manner".

- Marshall suggests the following wording, "Establish a two tiered allocation system: 1) determine minimum needs for each user group, 2) allocate to optimize the economic and social benefit determined to be equitable and fair by all user groups".

- Martin wants to parcel up the arguments for allocation but it seems that in order for us to find language that we all agree on, we are fuzzying up the issue.

- Fullerton feels that the decision is being taken away from the user groups.

- Marshall feels that we could make this more balanced by including more steps.

- Bingham supports Marshall's approach.

Mackett called for a vote on option 18: "Establish a two tiered allocation system: 1) determine minimum needs for each user group, 2) allocate to optimize economic and social benefit determined to be equitable and fair by all user groups."

Vote: no consensus (to replace #18).

Discussion:

- Masten explains that she has problems with the economic aspects of this option.

- Warrens clarifies that the economics are dealt with in the Magnuson Act.

- Marshall feels that economic argument (as well as social argument) are important. In Washington decisions were made on vague language "share in common" then "up to 50%" and the tribes had to hire economists to analyze the argument.

- Fullerton would rather have the economics decided by this group than the PFMC.

Mackett asked "what strategy would the KFMC use to allocate fish?" and how is this better?

Discussion:

- Bingham feels that we need to break the gridlock and become managers that can develop realistic standards.

Break....

More on <u>Allocation Strategies</u>.

The group agreed that they liked the wording of:

> "Establish a two tiered allocation system: 1) determine minimum needs for each user group, 2) allocate to optimize economic and social benefit determined to be equitable and fair by all user groups"
>
> - Masten disagreed with the group. She would like to see the write-up with a written explanation.

Vote on the new #18: yes 10, abstain 1.

#18 will be put in the options field with the new language (See Attachment 8).

Discussion:

Option 36.

> (Bingham): The industry has very little support for this option, if the emphasis was on "explore" then it could be acceptable. He wants to avoid "implementation".

Option 68.

> The group discussed this option, they didn't want council progress to be an operating rule/procedure, and didn't feel that this option needed to be in the long-term strategy.

Mackett called for a vote on eliminating Option 68: passed.

Option 18.

- (Wilkinson): Other allocation strategies will be appropriate from time to time.

Vote, consensus.

Back to the agenda.

(Mackett): Agenda item "Work on design dimensions not adopted" is finished. I will now ask for volunteers for writing assignments:

Category:

1. <u>Decision Making Process</u>

   Options:
   - 53 Marshall
   - 61 Marshall
   - 62 Fullerton

2. Harvest Management Strategies
   - 1a Bingham
   - 17 Boswick
   - 55 Wilkinson

3. Resource Assessment and Monitoring
   - 2 Reed
   - 4 Reed
   - 12 Hayden
   - 24 Hayden
   - 27 Martin
   - 33 Hayden
   - 48 Bingham
   - 63 Bingham
   - 69 Bingham

4a. Organizational approach
   - 50 Fullerton
   - 64 Masten
   - 70 Masten

4b. Communication
   - 15 Masten
   - 26 Wilkinson
   - 56 Reed
   - 57 Reed
   - 65 Fullerton

5. Escapement Policy
   - 7 Martin
   - 25 Martin
   - 32 Martin
   - 39 Martin
   - 42 Martin

6. Habitat
   - 8 Naylor & Warrens
   - 9 Naylor & Warrens
   - 16 Naylor & Warrens
   - 40 Naylor & Warrens
   - 66 Naylor & Warrens
   - 67 Naylor & Warrens

7. Allocation Strategies
   - 18 Masten
   - 20 Wilkinson
   - 36 Bingham

8. Enhancement
   - 6 Barraco
   - 47 Barraco

At 2:20 pm the main group dispersed to work on the write-ups of these options. The write-ups will provide clarification on the "understood" aspects of these options.

At 4:15 pm the option write-ups were put-together, then typed, printed and distributed to the group.

The next step was to look over the final options field and clarify the narratives.

(see Attachment 9 for revisions)

1. Decision Making Process

    53. Status Quo.

2. Harvest Management Strategies

    55. Discussion on why optimal yield (OY) was used, as opposed to maximum sustainable yield (MSY). Martin: wasn't the intent of this to maintain MSY escapement levels for natural stocks?

3. Resource Assessment and Monitoring

    2. Discussion on methods of marking.

        Masten feels that this is not the way to get to what we want. Reed agrees that there may be better systems to do this. [wording changes]

    4. [wording changes]

    12. Discussion on removing the last sentence.

        Masten feels that this needs better terminology, as it stands, it could easily be misunderstood by the public.

    24. Okay.

    27. Okay.

    33. Hayden clarified: If targeting on one fish, then any other kind of fish caught would be released. [Wording changed.]

    48. Group felt that definitions were correct. [wording changed]

    63. Martin suggested that there could be several different ways to reach this end (we could hold joint meetings, etc). Proposed that the wording used "for example". Martin proposed moving it to

category "4b Communication", from category "3 Resource assessment and monitoring".

69. Discussion led to slight changes.

4a. Organizational Approach.

50. Wording changed slightly.

64. Masten wants option changed to "Upon election of the Yurok Interim Council, the non-Hoopa representative position will be changed to a Yurok representative". Marshall suggested that the wording read, "...the title of non-Hoopa representative will be changed to the Yurok representative."

70. Slight changes made.

4b. Communication.

15. Slight changes made.

26. Slight changes made.

56. Martin recommends that we drop the last sentence "The staff and other funding needs would be provided by appropriations for KRB restoration project".

57. The town of Klamath was added to the list.

65. Revised.

63. "Monitoring" changed to "mechanism".

5. Escapement Policy.

7. "Wild" changed to "natural".

Break

Mackett feels that at this stage of the game, we need to be trusting that these options are written correctly. Let's try to stick to the 2 minute mark for "word smithing". Let's make substantial changes, not mini changes.

25. Discussion:

Masten suggested changing the title to "develop optimum escapement rate levels through harvest rate management".

Barraco clarified that this is a scheme to determine the escapement level to change to using escapement rate management instead of harvest rate management (HRM).

Discussion on the intent of adopting HRM, and the public's understanding of this. Barracco finished wordsmithing this option.

32. Added: "The impact of all in-river salmon fisheries will be managed not to exceed target exploitation rates such that in conjunction with properly managed ocean fisheries, the desired escapement will occur and thus maximum sustained yield for natural stocks will result in the long term."

39. Martin wanted to combine 32 and 39 when he wrote them, he feels that they could be written to have less overlap. Therefore 32 and 39 were combined, and labeled 32.

42. Slight changes made.

6. Habitat.

8. Title changed.

9. Wording changed.

16. Title changed.

40. Okay.

66. Eliminated, then (Warrens, Bingham, Naylor) combined this with #63 Resource Assessment.

67. Okay.

7. Allocation Strategies.

18. Mackett called for comments because this option is so contentious, but no one wanted to comment. The write-up on this was very good and clarified the positions.

20. Discussion. Marshall suggested terminology.

36. Minor corrections, no comments on the text.

8. Enhancement.

6. Minor corrections.

47. Okay.

5. Okay.

(Mackett): The option write ups have now been clarified for council members. This signals the completion of Strategic Planing.

Wrap-up.

(Mackett):

- The administrative support for this planning effort will provide the corrected write-ups (Attachment 9) and a cleaned up copy of the options field (Attachment 10) to everyone as soon as possible. In a few minutes we will have a roundtable verbalization of "what this plan means to each of us".

- We developed a single alternative by consensus. Therefore we met the major objectives of the meeting.

- The next steps for the council to take include:

  Discussion of the next meeting.
  Discussion of a package for review by public.
  Discuss how to present the plan package to the public.
  Discuss steps for formal adoption.
  Discuss having this plan reviewed by the Secretary of Interior.

(Iverson): How do we take these general recommendations and turn these into specific action steps?

Reed recommended that some steps be taken immediately. For example, the newsletter approval form could be submitted.

Fullerton feels that the public review process should come before any actual implementation is started (because the public may have lots of comments).

Bingham asked if council members had read the draft plan for the TF; no one stated that they hadn't.

Mackett asked council members to respond to the question: *"What this plan means to me?"*

- Warrens: Appreciates Mackett's role in keeping us focused on the task at hand. Appreciated the coming together of members thinking more alike.

- Marshall: At first it wasn't clear where we were going, but now we have expanded our role as a council. We have a lot more to do.

- Naylor: Long-range planning has never been his favorite subject, but this process has allowed us to look at ideas, sort, organize, and make points. The process has been good.

- Martin: Reflecting over the past 5 years, this process has been a roller-coaster, but now we seem to really be on the upswing. We

changing the harvest system to take advantage of hatchery fish and changing to meet the needs of the lower stock sizes. We need to have faith that this plan will really work.

- Boswick: Glad that Dave pushed us through to finish this plan.

- Masten: Appreciates the understanding of council members, hopes that we keep pushing in order to be successful in implementing the plan. Feels that the difficult task facing us now is having the general public understand how we came to this plan..

- Wilkinson: Thanked Dave and staff (Susan) for their assistance in developing this. Hoped that we can retain Dave's services in the future.

- Hayden: Appreciates Dave's help. This plan is a major accomplishment of the council.

- Reed: Planning has been a meaningful process. We found that 95% of the stuff on the table is stuff we agree on. This is a very valuable finding. Wants to see another 1/2 day spent working on the implementation of this plan.

- Bingham: Thanks to Dave... Feels that he learned a lot in this process. This is the best planning process that he's been through, because it has stayed focused. We all deserve a pat on the back, we need to remember all of our good hard work on this when we come to tough times in the future. Feels that this plan is meaningful and useful.

- Mackett: We went from not really understanding what the other persons' position was, to gaining better understanding and coming to a common basis. This group should be commended for all their hard work.

- Fullerton: Commended Dave for doing an excellent job with this group. Feels that a team spirit has developed. Expressed empathy for some representative's who had to make decisions without speaking with their constituents. Agreed with earlier comments that this plan needs to be <u>used</u> not just put on the shelf.

Overall, the council reflected consensus in their appreciation for Dave Mackett's assistance in this planning process.

Agenda items for the next meeting (Nov 1, 2 Eureka) were discussed. Fullerton asked that council members review the revised options graphic (Attachment 9) and the options writeups (Attachment 10), and be ready to make any needed changes at the next meeting. The Eureka meeting will be the time to finish up the development of a public review draft and decide what will go out to the public.

Meeting adjourned.

ATTACHMENT 1

KLAMATH FISHERY MANAGEMENT COUNCIL

Attendance Roster, October 2-3, 1990 in LaJolla, Ca.

Management Council Members

Nat Bingham	California Commercial Salmon Fishing Industry
Virginia Bostwick	Klamath In-River Sport Fishery
E. C. Fullerton(Chair)	National Marine Fisheries Service
Robert Hayden	California Ocean Sport Fishery
C.L. Marshall	Hoopa Valley Business Council
James Martin	Oregon Department of Fish & Wildlife
Susan Masten	Non-Hoopa Indians Residing in Klamath Area
A.E. Naylor	California Department of Fish & Game
J. Lisle Reed	U.S. Department of the Interior
Frank Warrens	Pacific Fishery Management Council
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Others Attending

Alan Baracco
Lila Coburn
Leaf Hillman
Ron Iverson
Susan Jacobson
Karole Overberg
Dave Mackett
Dan Petit
Ronnie Pierce
Del Robinson
Tricia Whitehouse

ATTACHMENT 2

KLAMATH FISHERY MANAGEMENT COUNCIL

Strategic Planning Meeting
October 2 (8:30 a.m.) - October 4 (3:00 p.m.) 1990
Southwest Fisheries Science Center

Manager/Chairperson: E. C. Fullerton
Facilitator: D. J. Mackett
Recorder: R. Iverson
Group Members: Klamath Fishery Management Council

Meeting Methods: Interactive Management
Decision Making Method: Consensus
Final Decision Maker: Group consensus

Objectives of the Meeting:

1. To review past planning work.
2. To achieve a common understanding of the options available for designing a strategy for meeting the KFMC's goals.
3. To develop and adopt a single alternative strategy by consensus, or
4. To develop alternative strategies.
5. To select the "best" alternative by trade-off analysis method.
6. To write final draft of strategic plan.
7. To formally adopt the strategic plan.

Agenda:

October 2, 1990

0830 - Agendas and Announcements (10 minutes)

Review Planning System (1 hour) Mackett

1. Overall goals and objectives.
2. Where we've been.
3. Where we are.
4. Where we're going.
5. Goals and objectives for the meeting.

Review Options Field and the Criteria for Selecting the Best Alternative (2-1/2 hours) Mackett/Group

1200 - Lunch

1300 - Development of Strategy Alternative(s) (3 hours)
Facilitated Group

Option 1. Council able to develop single consensus alternative.

Option 2. Council needs to evaluate 2 or more alternatives.

OPTION 1.

October 3, 1990

1. 0830 - Write descriptions for each option selected (Group).

2. Review, edit. (Group)

3. 1130 - Public comment.

   1200 - Lunch.

4. 1300 - Produce final draft: Formal adoption of Strategic Plan.

5. 1400 - Adjourn.

OPTION 2.

October 3, 1990

1. 0830 - Develop and explain alternatives.

2. 1030 - Subject each alternative to criteria to develop information required for trade-off analysis.

   1200 - Lunch.

3. 1330 - Public comment.

4. 1400 - Trade-off analysis to select best alternative.

5. 1800 - Selection of best alternative.

October 4, 1990

1. 0830 - Write descriptions for each option selected.

2. Review, edit, produce final draft.

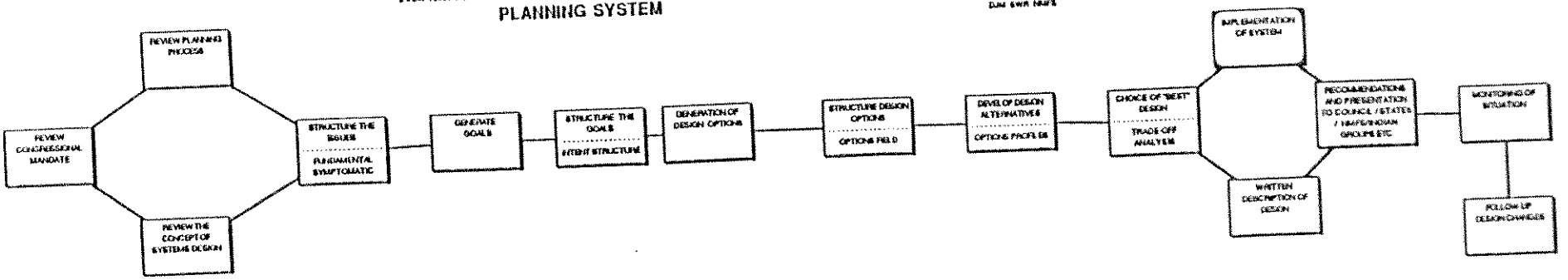
3. Formal adoption of Strategic Plan.

4. Adjourn.

ATTACHMENT 3

DRAFT
NOVEMBER 20, 1989
REV DECEMBER 27, 1989
DJM KWR NMFS

KLAMATH FISHERY MANAGEMENT COUNCIL PLANNING SYSTEM



PRELIMINARY OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

1. DECISION MAKING PROCESS

- 21. MANDATE MANAGEMENT DISPUTE RESOLUTION BY A MEDIATION/ ARBITRATION PROCESS
- 30. AMEND KFMC DECISION PROCESS TO DECIDE BY 2/3 MAJORITY
- 53. STATUS QUO
- 54. AMEND DECISION PROCESS TO REQUIRE 2 VOTES TO VETO

#61

#62

2. HARVEST MANAGEMENT STRATEGIES

- 1. COORDINATED SEASONAL MANAGEMENT: TIME, AREA, NOT QUOTA
- 11. FINE-TUNE ALLOCATIONS BY ALLOWING IN-RIVER FISHING IN ALL SALMON SPAWNING RIVERS
- 17. DEVELOP REGULATIONS THAT ALLOW USERS ACCESS TO THE STOCKS
- 19. DIRECT ALL RIVER HARVEST TO HATCHERIES STOCKS ONLY

0-11

- 55. DIRECT RIVER HARVEST PRIMARILY TO HATCHERY STOCKS
- 34. DEVELOP A TERMINAL FISHERY
- 35. EXPAND BOUNDARIES OF THE KMZ
- 44. OPEN ALL COMMERCIAL FISHING TO FULL SEASONAL MANAGEMENT

3. RESOURCE ASSESSMENT & MONITORING

- 2. DEVISE A MONITORING PROGRAM THAT ENABLES INSTANTANEOUS ESTIMATION OF HARVEST STATUS OF ALL SALMON STOCKS
- 4. SEEK FUNDS FOR IMPROVED IN-SEASON DATA COLLECTION
- 10. MARK ALL KLAMATH FISH
- 12. DETERMINE POTENTIAL PRODUCTION OF EACH SPECIES IN THE BASIN
- 13. DETERMINE VARIOUS POTENTIAL MIXES
- 24. DEVELOP A METHOD TO IMMEDIATELY IDENTIFY HATCHERY FISH
- 27. IMPROVE HARVESTABILITY OF HATCHERY FISH BY ALTERING STOCKS, RELEASE LOCATIONS, AND BY FIN CLIPPING
- 33. DEVELOP NEW SORTING AND HARVEST METHODS
- 48. INSTITUTE A COASTWIDE GSI OCEAN LANDING SAMPLING PROGRAM TO DETERMINE STOCK COMPOSITION OF OCEAN LANDINGS

TIE LINE

OCT. 2, 1990

PRELIMINARY OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

4a. ORGANIZATIONAL APPROACH

- 3. FORM A KLAMATH RIVER PRODUCERS' COOPERATIVE
- 50. MAINTAIN STATUS QUO ORGANIZATION

4b. COMMUNICATION

- 15. INCREASE TIMELY COMMUNICATION ON AGENCY MANAGEMENT PRACTICES
- 26. IMPROVE PUBLIC INVOLVEMENT IN PROBLEM SOLVING STRATEGIES
- 56. PRODUCE NEWSLETTERS AND FLYERS
- 57. VARY LOCATIONS OF MEETINGS

5. ESCAPEMENT POLICY

- 7. MANAGE ESCAPEMENT TO PRODUCE MSY FOR EACH KR RUN WHILE PREVENTING EXTINCTION OF ANY KR TRIBUTARY WILD SUB-POPULATION
- 25. DEVELOP MSY THROUGH HARVEST RATE MANAGEMENT
- 32. MANAGE ALL OCEAN FISHERIES CONSISTENT WITH KR NATURAL PRODUCTION
- 37. MANAGE ALL OCEAN SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY
- 39. MANAGE ALL KR SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY
- 42. ESTABLISH A THRESHOLD FOR NATURAL STOCK PRODUCTIVITY BELOW WHICH WE WILL RE-EXAMINE THE GOALS OF MANAGING FOR NATURAL FISH
- 49. AMEND ESCAPEMENT GOAL RATE TO INCLUDE A CEILING

TIE LINE

OCT. 2, 1990

ATTACHMENT 4

PRELIMINARY OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

6. HABITAT

- 8. REQUIRE WATER FLOWS ADEQUATE TO ACHIEVE OPTIMAL PRODUCTIVITY OF THE BASIN
- 9. MANDATE BY LAW MINIMUM HABITAT STANDARDS
- 16. IMPLEMENT MINIMUM STREAM-FLOW STANDARDS
- 40. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH KR NATURAL PRODUCTION
- 58. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH HARVEST MANAGEMENT PLANS

7. ALLOCATION STRATEGIES

- 14. MAKE 4 INTERIM AND 1 LONG-TERM ALLOCATION
- 18. ESTABLISH A TWO-TIERED ALLOCATION SYSTEM: 1) ABSOLUTE MINIMUM NEEDS FOR EACH USER GROUP; 2) ALLOCATE BETWEEN USER GROUPS TO OPTIMIZE THE TOTAL ECONOMICS OF KB
- 20. SIMPLIFY THE PROCESS BY MANAGING THE KR FISHERY SAME AS CO-MANAGED FISHERIES NORTH OF CAPE FALCON
- 28. INSTITUTE AN ITQ SYSTEM FOR KMZ TROLL SALMON
- 36. USE ITQS OF WILD KLAMATH FALL CHINOOK EQUIVALENTS TO MANAGE ALL FISHERIES (IN-RIVER AND OCEAN)
- 38. REGULATE EFFORT SHIFTS TO RESERVE KMZ ALLOCATION FOR LOCAL FISHERMEN
- 41. ESTABLISH A 50% SPLIT BETWEEN INDIAN AND NON-INDIAN HARVESTABLE FISH
- 43. ESTABLISH .50 OCEAN HARVEST RATE
- 51. STATUS QUO (89/90) PERCENT SHARES AMONG ALL USERS UNTIL AGREEMENT OF ALL PARTIES TO MODIFY OR NEW LEGAL DIRECTION OCCURS
- 52. MAINTAIN STATUS QUO AGREEMENT .525/.325

8. ENHANCEMENT

- 5. BUILD ADDITIONAL HATCHERIES IN KLAMATH RIVER BASIN
- 59. IMPROVE ARTIFICIAL PRODUCTION BY MEANS OTHER THAN HATCHERIES
- 6. PRODUCTION OF MORE FISH, I.E., TARGET ON HATCHERIES STOCK WHILE STRENGTHENING NATURAL STOCKS
- 47. RECOMMEND TO THE KB TASK FORCE HABITAT AND/OR BIO- ENHANCEMENT MEASURES FOR BASIN STOCKS FOUND BY KFMC TO BE WEAK RELATIVE TO GENERAL BASIN PRODUCTIVITY

TIE LINE

OCT. 2, 1990

ATTACHMENT 4

PRELIMINARY OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

9. EFFORT MANAGEMENT STRATEGIES

- 22. SHARE TRADING SYSTEM
- 23. BUY OUT OR TRADE OUT INDIAN COMMERCIAL FISHERIES
- 29. BUY OUT OR TRADE OUT KMZ TROLL AND SPORT FISHING
- 31. BUY OUT OR TRADE OUT TROLLERS
- 45. CLOSE ALL COMMERCIAL FISHING FOR 4 YEARS
- 46. CLOSE ALL FISHING FOR 4 YEARS

TIE LINE

OCT. 2, 1990
ATTACHMENT

OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

1. DECISION MAKING PROCESS

- 21. MANDATE MANAGEMENT DISPUTE RESOLUTION BY A MEDIATION/ ARBITRATION PROCESS
- 30. AMEND KFMC DECISION PROCESS TO DECIDE BY 2/3 MAJORITY
- 53. STATUS QUO
- 54. AMEND DECISION PROCESS TO REQUIRE 2 VOTES TO VETO
- 61. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING HARVEST SHARING AGREEMENT TO **PFMC** FOR ADOPTION
- 62. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING RECOMMENDATIONS TO OTHER MANAGEMENT AUTHORITIES

2. HARVEST MANAGEMENT STRATEGIES

- 1. COORDINATED SEASONAL MANAGEMENT: TIME, AREA, NOT QUOTA
- 1A.COORDINATED SEASONAL MANAGEMENT: TIME, AREA
- 11. FINE-TUNE ALLOCATIONS BY ALLOWING IN-RIVER FISHING IN ALL SALMON SPAWNING RIVERS
- 17. DEVELOP REGULATIONS THAT ALLOW USERS ACCESS TO THE STOCKS
- 19. DIRECT ALL RIVER HARVEST TO HATCHERY STOCKS ONLY
- 55. DESIGN HARVEST REGIMES TO ACHIEVE AN APPROPRIATE BALANCE BETWEEN AVAILABLE NATURAL AND SURPLUS HATCHERY STOCKS
- 34. DEVELOP A TERMINAL FISHERY
- 35. EXPAND BOUNDARIES OF THE KMZ
- 44. OPEN ALL COMMERCIAL FISHING TO FULL SEASONAL MANAGEMENT

3. RESOURCE ASSESSMENT & MONITORING

- 2. DEVISE A MONITORING PROGRAM THAT ENABLES INSTANTANEOUS ESTIMATION OF HARVEST STATUS OF ALL SALMON STOCKS
- 4. SEEK FUNDS FOR IMPROVED IN-SEASON DATA COLLECTION
- 10. MARK ALL KLAMATH FISH
- 12. DETERMINE POTENTIAL PRODUCTION OF EACH SPECIES IN THE BASIN
- 13. DETERMINE VARIOUS POTENTIAL MIXES
- 24. DEVELOP A METHOD TO IMMEDIATELY IDENTIFY HATCHERY FISH

(continues on page 2 ☞)

TIE LINE

OCT. 3, 1990

ATTACHMENT 5

OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

3. RESOURCE ASSESSMENT & MONITORING *(continued)*

- 27. IMPROVE HARVESTABILITY OF HATCHERY FISH BY ALTERING STOCKS, RELEASE LOCATIONS, AND BY FIN CLIPPING
- 33. DEVELOP NEW SORTING AND HARVEST METHODS
- 48. INSTITUTE A COASTWIDE GSI OCEAN LANDING SAMPLING PROGRAM TO DETERMINE STOCK COMPOSITION OF OCEAN LANDINGS
- 63. ESTABLISH A COORDINATION MECHANISM BETWEEN KFMC AND KTF
- 69. ASSESS AND MONITOR ALL ANADROMOUS SPECIES IN THE KLAMATH BASIN

4a. ORGANIZATIONAL APPROACH

- 3. FORM A KLAMATH RIVER PRODUCERS' COOPERATIVE
- 50. MAINTAIN STATUS QUO ORGANIZATION
- 64. WITH ESTABLISHMENT OF THE TRIBE, NON-HOOPA REPRESENTATIVE SHOULD BE CHANGED TO YUROK REPRESENTATIVE
- 70. ADD SEAT TO COUNCIL FOR KARUK REPRESENTATIVE

4b. COMMUNICATION

- 15. INCREASE TIMELY COMMUNICATION ON AGENCY MANAGEMENT PRACTICES
- 26. IMPROVE PUBLIC INVOLVEMENT IN PROBLEM SOLVING STRATEGIES
- 56. PRODUCE NEWSLETTERS AND FLYERS
- 57. VARY LOCATIONS OF MEETINGS
- 65. IMPROVE OR ESTABLISH COMMUNICATIONS WITH FISHERIES MANAGEMENT AUTHORITIES ON THE KLAMATH IN ORDER TO CARRY OUT OUR LEGAL RESPONSIBILITIES

5. ESCAPEMENT POLICY

- 7. MANAGE ESCAPEMENT TO PRODUCE MSY FOR EACH KR RUN WHILE PREVENTING EXTINCTION OF ANY KR TRIBUTARY WILD SUBPOPULATION
- 25. DEVELOP MSY THROUGH HARVEST RATE MANAGEMENT
- 32. MANAGE ALL OCEAN FISHERIES THAT IMPACT KR STOCKS CONSISTENT WITH KR NATURAL PRODUCTION
- 37. MANAGE ALL OCEAN SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY
- 39. MANAGE ALL KR SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY

(continues on page 3 ☞)

TIE LINE

OCT. 3, 1990

ATTACHMENT

OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

5. ESCAPEMENT POLICY *(continued)*

- 42. ESTABLISH A THRESHOLD FOR NATURAL STOCK PRODUCTIVITY BELOW WHICH WE WILL RE-EXAMINE THE GOALS OF MANAGING FOR NATURAL FISH
- 49. AMEND ESCAPEMENT GOAL RATE TO INCLUDE A CEILING

6. HABITAT

- 8. REQUIRE WATER FLOWS ADEQUATE TO ACHIEVE OPTIMAL PRODUCTIVITY OF THE BASIN
- 9. MANDATE BY LAW MINIMUM HABITAT STANDARDS
- 16. IMPLEMENT MINIMUM STREAM-FLOW STANDARDS
- 40. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH KR NATURAL PRODUCTION
- 58. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH HARVEST MANAGEMENT PLANS
- 66. COUNCIL REVIEW AND MAKE RECOMMENDATIONS ON THE TASK FORCE LONG-RANGE PLAN
- 67. COUNCIL TO MAKE RECOMMENDATIONS TO TASK FORCE AND MANAGEMENT AUTHORITIES ON HABITAT ISSUES AS THEY ARISE

7. ALLOCATION STRATEGIES

- 14. MAKE 4 INTERIM AND 1 LONG-TERM ALLOCATION
- 18. ESTABLISH A TWO-TIERED ALLOCATION SYSTEM: 1) ABSOLUTE MINIMUM NEEDS FOR EACH USER GROUP; 2) ALLOCATE BETWEEN USER GROUPS TO OPTIMIZE THE TOTAL ECONOMICS OF KB
- 20. ALL FISHERY MANAGEMENT AUTHORITIES WILL BE GIVEN EQUAL CREDENCE BY KFMC
- 28. INSTITUTE AN ITQ SYSTEM FOR KMZ TROLL SALMON
- 36. EXPLORE THE USE OF ITQS NATURAL KLAMATH FALL CHINOOK EQUIVALENTS TO MANAGE ALL FISHERIES (IN-RIVER AND OCEAN)

(continues on page 4 ☞)

TIE LINE

OPTIONS FIELD FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

7. ALLOCATION STRATEGIES *(continued)*

- 38. REGULATE EFFORT SHIFTS TO RESERVE KMZ ALLOCATION FOR LOCAL FISHERMEN
- 41. ESTABLISH A MINIMUM 50% SPLIT BETWEEN INDIAN AND NON-INDIAN HARVESTABLE FISH
- 43. ESTABLISH .50 OCEAN HARVEST RATE
- 51. STATUS QUO (89/90) PERCENT SHARES AMONG ALL USERS UNTIL AGREEMENT OF ALL PARTIES TO MODIFY OR NEW LEGAL DIRECTION OCCURS
- 52. MAINTAIN STATUS QUO AGREEMENT .525/.325
- 60. BASED ON POTENTIAL COMBINATIONS OF PRODUCTIONS OF THE 6 SPP., DEVELOP A SHARING AGREEMENT AMONG ALL USERS FOR ALL 6 SPP.
- 68. SET ASIDE ALLOCATION SPLIT IN LONG-TERM PLANNING PROCESS

8. ENHANCEMENT

- 5. BUILD ADDITIONAL HATCHERIES IN KLAMATH RIVER BASIN
- 59. IMPROVE ARTIFICIAL PRODUCTION BY MEANS OTHER THAN HATCHERIES
- 6. PRODUCTION OF MORE FISH, I.E., TARGET ON SURPLUS HATCHERY STOCK TO STRENGTHEN DEPLETED NATURAL STOCKS
- 47. RECOMMEND TO THE KB TASK FORCE HABITAT AND/OR BIO- ENHANCEMENT MEASURES FOR BASIN STOCKS FOUND BY KFMC TO BE WEAK RELATIVE TO GENERAL BASIN PRODUCTIVITY

9. EFFORT MANAGEMENT STRATEGIES

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- 31. BUY OUT OR TRADE OUT INDIVIDUAL TROLLERS
- 45. CLOSE ALL COMMERCIAL FISHING FOR 4 YEARS
- 46. CLOSE ALL FISHING FOR 4 YEARS

TIE LINE

OCT. 3, 1990

ATTACHMENT 5

CRITERIA FOR THE EVALUATION OF ALTERNATIVE STRATEGIES FOR THE KLAMATH FISHERY MANAGEMENT COUNCIL

1. Net economic benefits

2. Cost

---

3. Degree to which users needs are met

4. Preservation and strengthening of natural anadromous populations

5. Degree to which standards of the Klamath Act are met

6. Recognition of social values

7. Achievable under the current governmental structure

---

8. Degree of public acceptability

9. Users' Flexibility

October 2, 1990
SWFC La Jolla

THERE ARE FOUR INTRINSIC LAWS OF GENERIC DESIGN SCIENCE

- 1. THE LAW OF SUCCESS AND FAILURE
- 2. THE LAW OF REQUISITE VARIETY
- 3. THE LAW OF REQUISITE PARSIMONY
- 4. THE LAW OF REQUISITE SALIENCY

ATTACHMENT 7

THE LAW OF SUCCESS AND FAILURE DESIGNATES SEVEN CRITICAL FACTORS

- LEADERSHIP
- FINANCIAL SUPPORT
- COMPONENT AVAILABILITY
- DESIGN ENVIRONMENT
- DESIGNER PARTICIPATION
- DOCUMENTATION SUPPORT
- DESIGN PROCESSES THAT CONVERGE TO INFORMED AGREEMENT

THE LAW OF REQUISITE VARIETY

- THE "DIMENSIONS" OF THE DESIGN SITUATION MUST MATCH THAT OF THE "TARGET" OF THE DESIGN PROCESS....

  UNDERSPECIFIED AND THE RESULT IS OUT OF CONTROL

  OVERSPECIFIED AND THE RESULT CANNOT BE WHAT THE DESIGNER WANTS

  DIMENSIONS MATCH AND RESULTS SHOULD BE ABSORBED BY THE SITUATION AND CONTROLLED BY THE DESIGNER

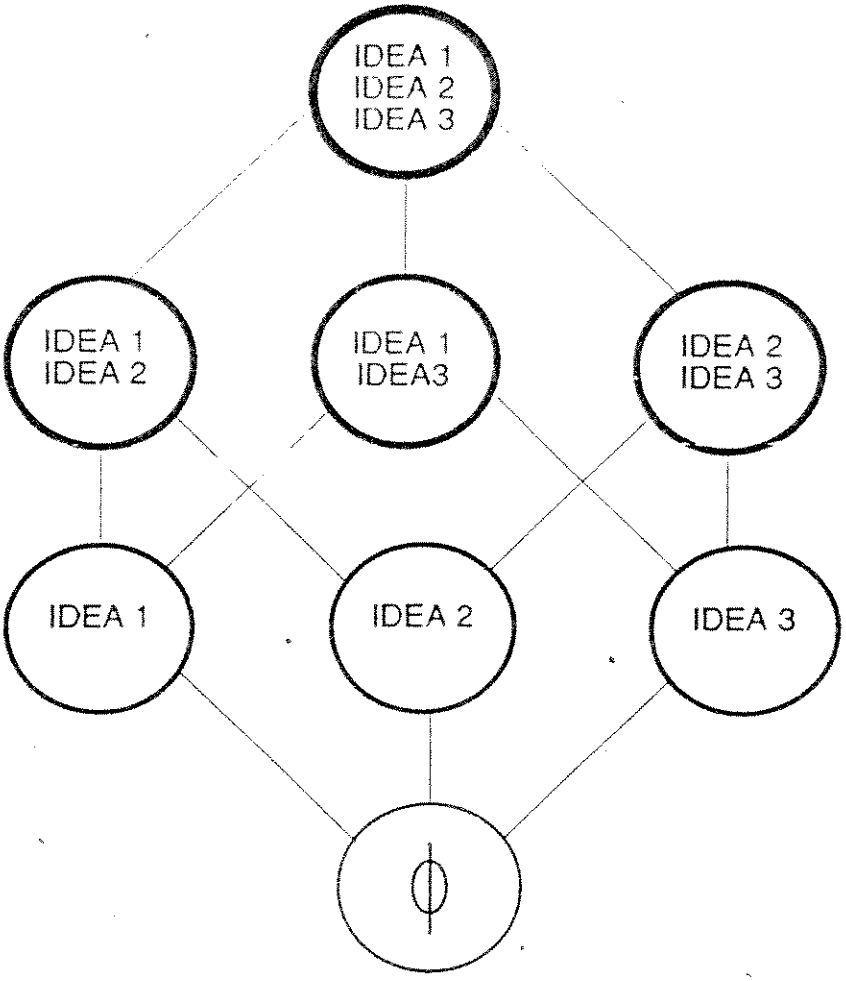
THE LAW OF REQUISITE PARSIMONY

- THERE IS A NEED TO CONTROL THE RATE OF PRESENTING INFORMATION TO THE HUMAN MIND TO AVOID ITS OVERLOAD
- THE MAGIC NUMBER FIVE PLUS OR MINUS TWO HAS BECOME THE MAGIC NUMBER THREE PLUS OR MINUS ZERO.....JOHN WARFIELD
- "OPERATOR ERROR" THE FALL GUY FOR POOR DESIGNS THAT OVERBURDEN THE HUMAN MIND

THE LAW OF REQUISITE SALIENCY

- THE FACTORS THAT MUST BE CONSIDERED FOR A DESIGN ARE NOT OF EQUAL SALIENCY
- DESIGN PROCESSES MUST PROVIDE FOR LEARNING TO REDUCE VARIABILITY IN PERCEPTIONS OF RELATIVE SALIENCY
- DIVERSITY WITHOUT LEARNING PRODUCES...
  - UNFOCUSED DIALOGUE
  - UNJUSTIFIED DECISIONS, AND
  - ARBITRARY DESIGNS NOT LIKELY TO WORK

PROIONS, CONTEXTUAL INTERACTIONS AND THE LIMITS OF HUMAN CAPACITY TO HANDLE INFORMATION



FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

1. DECISION MAKING PROCESS

- ○ 21. MANDATE MANAGEMENT DISPUTE RESOLUTION BY A MEDIATION/ ARBITRATION PROCESS
- ○ 30. AMEND KFMC DECISION PROCESS TO DECIDE BY 2/3 MAJORITY
- ● 53. STATUS QUO
- ○ 54. AMEND DECISION PROCESS TO REQUIRE 2 VOTES TO VETO
- ● 61. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING HARVEST SHARING AGREEMENT TO **PFMC** FOR ADOPTION
- ● 62. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING RECOMMENDATIONS TO OTHER MANAGEMENT AUTHORITIES

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- ● 1A.COORDINATED SEASONAL MANAGEMENT: TIME, AREA
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- ○ 19. DIRECT ALL RIVER HARVEST TO HATCHERY STOCKS ONLY
- ● 55. DESIGN HARVEST REGIMES TO ACHIEVE AN APPROPRIATE BALANCE BETWEEN AVAILABLE NATURAL AND SURPLUS HATCHERY STOCKS
- ○ 34. DEVELOP A TERMINAL FISHERY
- ○ 35. EXPAND BOUNDARIES OF THE KMZ
- ○ 44. OPEN ALL COMMERCIAL FISHING TO FULL SEASONAL MANAGEMENT

3. RESOURCE ASSESSMENT & MONITORING

- ● 2. DEVISE A MONITORING PROGRAM THAT ENABLES INSTANTANEOUS ESTIMATION OF HARVEST STATUS OF ALL SALMON STOCKS
- ● 4. SEEK FUNDS FOR IMPROVED IN-SEASON DATA COLLECTION
- ○ 10. MARK ALL KLAMATH FISH
- ● 12. DETERMINE POTENTIAL PRODUCTION OF EACH SPECIES IN THE BASIN
- ○ 13. DETERMINE VARIOUS POTENTIAL MIXES
- ● 24. DEVELOP A METHOD TO IMMEDIATELY IDENTIFY HATCHERY FISH

(continues on page 2 ☞)

TIE LINE

OCT. 3, 1990

ATTACHMENT 8

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

7. ALLOCATION STRATEGIES

- 36. EXPLORE THE USE OF ITQS NATURAL KLAMATH FALL CHINOOK EQUIVALENTS TO MANAGE ALL FISHERIES (IN-RIVER AND OCEAN)
- 38. REGULATE EFFORT SHIFTS TO RESERVE KMZ ALLOCATION FOR LOCAL FISHERMEN
- 41. ESTABLISH A MINIMUM 50% SPLIT BETWEEN INDIAN AND NON-INDIAN HARVESTABLE FISH
- 43. ESTABLISH .50 OCEAN HARVEST RATE
- 51. STATUS QUO (89/90) PERCENT SHARES AMONG ALL USERS UNTIL AGREEMENT OF ALL PARTIES TO MODIFY OR NEW LEGAL DIRECTION OCCURS
- 52. MAINTAIN STATUS QUO AGREEMENT .525/.325
- 60. BASED ON POTENTIAL COMBINATIONS OF PRODUCTIONS OF THE 6 SPP., DEVELOP A SHARING AGREEMENT AMONG ALL USERS FOR ALL 6 SPP.

8. ENHANCEMENT

- 6. PRODUCTION OF MORE FISH, I.E., TARGET ON SURPLUS HATCHERY STOCK TO STRENGTHEN DEPLETED NATURAL STOCKS
- 47. RECOMMEND TO THE KB TASK FORCE HABITAT AND/OR BIO- ENHANCEMENT MEASURES FOR BASIN STOCKS FOUND BY KFMC TO BE WEAK RELATIVE TO GENERAL BASIN PRODUCTIVITY
- 5. ASSESS THE NEED FOR & EXPLORE METHODS OF EXPANDING PRODUCTION BY HATCHERIES AND/OR OTHER MEANS OF BIO-ENHANCEMENT

TIE LINE

OCT. 3, 1990

ATTACHMENT 8

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

5. ESCAPEMENT POLICY *(continued)*

- 42. ESTABLISH A THRESHOLD FOR NATURAL STOCK PRODUCTIVITY BELOW WHICH WE WILL RE-EXAMINE THE METHODS OF MANAGEMENT FOR NATURAL FISH
- 49. AMEND ESCAPEMENT GOAL RATE TO INCLUDE A CEILING

6. HABITAT

- 8. REQUIRE WATER FLOWS ADEQUATE TO ACHIEVE OPTIMAL PRODUCTIVITY OF THE BASIN
- 9. MANDATE BY LAW MINIMUM HABITAT STANDARDS
- 16. IMPLEMENT MINIMUM STREAM-FLOW STANDARDS
- 40. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH KR NATURAL PRODUCTION
- 58. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH HARVEST MANAGEMENT PLANS
- 66. COUNCIL REVIEW AND MAKE RECOMMENDATIONS ON THE TASK FORCE LONG-RANGE PLAN
- 67. COUNCIL TO MAKE RECOMMENDATIONS TO TASK FORCE AND MANAGEMENT AUTHORITIES ON HABITAT ISSUES AS THEY ARISE

7. ALLOCATION STRATEGIES

- 14. MAKE 4 INTERIM AND 1 LONG-TERM ALLOCATION
- 18. ESTABLISH A TWO-TIERED ALLOCATION SYSTEM: 1) DETERMINE MINIMUM NEEDS FOR EACH USER GROUP; 2) ALLOCATE TO OPTIMIZE THE SOCIAL & ECONOMIC BENEFIT DETERMINED TO BE EQUITABLE & FAIR BY KFMC
- 20. ALL FISHERY MANAGEMENT AUTHORITIES WILL BE GIVEN EQUAL CREDENCE & CO-MANAGEMENT STATUS BY KFMC
- 28. INSTITUTE AN ITQ SYSTEM FOR KMZ TROLL SALMON

(continues on page 4 ☞)

TIE LINE

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

3. RESOURCE ASSESSMENT & MONITORING *(continued)*

- 27. IMPROVE HARVESTABILITY OF HATCHERY FISH BY ALTERING STOCKS, RELEASE LOCATIONS, AND BY FIN CLIPPING
- 33. DEVELOP NEW SORTING AND HARVEST METHODS
- 48. INSTITUTE A COASTWIDE GSI OCEAN LANDING SAMPLING PROGRAM TO DETERMINE STOCK COMPOSITION OF OCEAN LANDINGS
- 63. ESTABLISH A COORDINATION MECHANISM BETWEEN KFMC AND KTF
- 69. ASSESS AND MONITOR ALL ANADROMOUS SPECIES IN THE KLAMATH BASIN

4a. ORGANIZATIONAL APPROACH

- 3. FORM A KLAMATH RIVER PRODUCERS' COOPERATIVE
- 50. MAINTAIN STATUS QUO ORGANIZATION
- 64. WITH ESTABLISHMENT OF THE TRIBE, NON-HOOPA REPRESENTATIVE SHOULD BE CHANGED TO YUROK REPRESENTATIVE
- 70. ADD SEAT TO COUNCIL FOR KARUK REPRESENTATIVE

4b. COMMUNICATION

- 15. INCREASE TIMELY COMMUNICATION ON AGENCY MANAGEMENT PRACTICES
- 26. IMPROVE PUBLIC INVOLVEMENT IN PROBLEM SOLVING STRATEGIES
- 56. PRODUCE NEWSLETTERS AND FLYERS
- 57. VARY LOCATIONS OF MEETINGS
- 65. IMPROVE OR ESTABLISH COMMUNICATIONS WITH FISHERIES MANAGEMENT AUTHORITIES ON THE KLAMATH IN ORDER TO CARRY OUT OUR LEGAL RESPONSIBILITIES

5. ESCAPEMENT POLICY

- 7. MANAGE ESCAPEMENT TO PRODUCE MSY FOR EACH KR RUN WHILE PREVENTING EXTINCTION OF ANY KR TRIBUTARY WILD SUB-POPULATION
- 25. DEVELOP MSY THROUGH HARVEST RATE MANAGEMENT
- 32. MANAGE ALL OCEAN FISHERIES THAT IMPACT KR STOCKS CONSISTENT WITH KR NATURAL PRODUCTION
- 37. MANAGE ALL OCEAN SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY
- 39. MANAGE ALL KR SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY

(continues on page 3 ☞)

TIE LINE

OCT. 3, 1990

ATTACHMENT 8

ATTACHMENT 9

KLAMATH FISHERIES MANAGEMENT COUNCIL

STRATEGIC PLAN

DRAFT OF

October 3, 1990

1. **Decision Making Process**

53. Status Quo

(Marshall)

The Council members decided to maintain the current procedures for transaction of business as defined in the Act 460xx-2(g)(1)(B) which states; "No comprehensive plan or recommendation referred to in subsection (b)(1)(A) or (B) of this section may be adopted by the Council except by the unanimous vote of all members present and voting."

1. **Decision Making Process**

61. Establish a step-wise process for submitting harvest sharing agreement to PFMC for adoption

(Marshall)

KFMC feels that it is essential to the culmination of any future agreements that the process for adoption by the PFMC be clearly defined and that the PFMC, upon adoption of the recommended agreement, enforce the provisions of the agreement.

1. Decision Making Process

62. Establish a stepwise process for submitting recommendations to other management authorities (Fullerton)

The KFMC is responsible for making recommendations to a variety of fishery management agencies and tribes. Prior to making those recommendations, public input will be sought. A stepwise process will be established that results in timely submission, review and discussion of the issues so that fishery management authorities can consider KFMC concerns in regulation formulation or plan development.

2. Harvest Management

1.a. Coordinated Seasonal Management: Time, Area (Bingham)

This systems would manage ocean and river fisheries to achieve an allocated harvest rate on Klamath River salmon stocks.

Time and area season openings would be designed to achieve the harvest rate through harvest impact analysis. In years of above expected abundance--more fish than anticipated would be harvested and in years of less than expected abundance less fish than anticipated would be harvested, but in either case the harvest rate would be expected to be met by coordinating the expected KMZ, outside KMZ and river harvests.

2. Harvest Management Strategies

17. Develop Regulations that allow users access to the stocks

(Bostwick)

Ocean users will develop good technical data that will allow them access to mixed ocean stock inside/outside KMZ.

The in-river users (Indian/sport) will develop regulations that will allow them to optimize their opportunities.

2. Harvest Management Strategies

55. Design Harvest Strategies

(Warrens/Bingham)

The Klamath Fishery Management Council will seek to balance the harvest between natural and hatchery stocks as appropriate. Priorities should be given to situations where surplus hatchery stock can be targeted while maintaining MSY escapement levels for natural stocks.

The Council shall utilize the expertise of the technical team for guidance in achieving this goal.

3. **Resource Assessment and Monitoring**

2. Devise a monitoring program that enables instantaneous estimation of harvest status of all salmon stocks (Reed)

The council feels it is necessary to have a program in place so that fish can be easily and quickly identified by authorized persons after being landed.

It is realized by the council that considerable funding must be provided by state and federal agencies to accomplish this task and that the task will require several personnel in the field.

It is the intention of the council to offer suggestions/conditions for in-season allocation adjustments.

3. **Resource Assessment and Monitoring**

4. Seek funds for improved in-season data collection (Reed)

The council will request federal and state regulatory authorities to provide appropriated funding to accomplish in-season data collection.

3. **Resource Assessment**

12. Determine potential production of each species in the Basin

(Hayden)

Determine the maximum potential production of each anadromous species in the Klamath Basin with currently existing habitat conditions, and with enhanced habitat. Identify biological and physical "best mix," and expected potential production for each species.

3. Resource Assessment

24. Develop a method to immediately identify hatchery fish (Hayden)

A fin clip, or as yet to be developed method, would be used to mark all Klamath RIver hatchery fish to enable harvesters to determine at the point of capture, if each and every fish caught is or is not of Klamath hatchery origin. This would enable various fisheries to target on, or avoid, hatchery fish depending on the allocation strategy and sharing agreements currently in place. The developed method must make identification possible without fatal injury or undue stress on each fish.

Improved monitoring and assessment systems could be developed based on the capture of these marked fish.

3. **Resource Assessment and Monitoring**

27. Improve harvestability of hatchery fish by altering stocks, release locations, and by fin clipping (Baracco)

It is desirable to maximize both the survival and fishery contribution of hatchery fish. To do so may require changes in such things as the numbers or proportions of the various species or races currently reared in hatcheries within the basin and the places the juvenile fish are released. It may also be desirable to fin clip hatchery production so that they can be identified in the various fisheries.

3. Resource Assessment

33. Develop new sorting and harvest methods

(Hayden)

This proposal involves marking, taking fish alive, and then sorting and releasing non-target stocks. Methods should include incentives to encourage selectivity by harvesters, and reward additional costs and effort.

Live, unharmed capture methods for both the ocean and river would provide maximum flexibility and permit selecting of unmarked fish by species and size of fish taken, timing of the run, and area of capture.

3. Resource Assessment and Monitoring

48. Institute a coast-wide GSI Ocean Landing Sampling Program to determine stock composition of ocean landings

(Bingham)

Genetic Stock Identification is a method of comparing protein enzyme samples taken from landed fish with baseline samples taken from juvenile salmonids from natal streams. It enables the determination of stock origin of natural fish which were not tagged. This system would provide managers with more information about the performance of natural stocks.

4a. Organizational Approach

50. Maintain status quo organization

(Fullerton)

The Klamath River Management Council will maintain its present organization, as required by the Act and implementing legislation, except as requested in item #70. Request legislation to add a seat for the Karuk tribe.

3. **Resource Assessment**

69. Assess and monitor all anadromous species in the Klamath basin

(Hayden)

An information system will be developed at an appropriate level of detail to assess and continually monitor all KB anadromous species to identify long-term trends, and provide information on species management needs and harvest availability. Monitoring would be by river sections, major tributaries, and areas of ocean harvest and use.

4a. Organizational Approach

64. Upon election of the Yurok Interim Council, the title of non-Hoopa representative will be changed to the Yurok representative

(Masten)

The Yurok Interim Council shall appoint an individual to sit on the KFMC as the Yurok Tribal representative. The incumbent will represent only the interests of the Yurok Tribe. This action will require technical amendment to the Act.

4a. **Organizational Approach**

70. Add seat to the Council for Karuk Representative (Masten)

A new position shall be created on the KFMC for Karuk Tribal Representation. This action is consistent with current membership representation on the Klamath River Basin Fishery Task Force. The Karuk Representative shall be appointed by the Karuk Tribal Council. The creation of this position will require an amendment to the Act.

4b. **Communication**

15. Increase timely communication on agency management practices

(Masten)

Policy, standards, and mechanisms will be developed and put in place by the KFMC which will define agency management practices which must be reported to the KFMC to facilitate Council deliberations. These practices shall include, but not be limited to items pertinent to harvest management such as: changes in level or methods of harvest monitoring; major changes or problems regarding hatchery practices; intent of action by agencies not represented on the KFMC which could have impacts on Klamath Basin productivity or returns.

4.b **Communication**

26. Improve Public Involvement in Problem Solving Strategies

(Bostwick/Wilkinson)

The council agreed that to bridge the communication gap there should be a multifaceted public information, involvement, and participation program to bring the interested public closer to the process.

4b. **Communication**

56. Produce Newsletters and Flyers

(Reed)

It is the intention of the Council to establish newsletters and flyers consistent with Department of Interior procedures. The purpose of the publications would be to inform the interested public of

1. Operations and authority of the KFMC
2. Current issues and meetings
3. Accomplishments
4. Upcoming events

The published material would be made available to all interested members of the general public and forwarded to specific groups upon request.

4b. **Communication**

57. Vary locations of meetings

(Reed)

The purpose of this action is to provide better and hopefully more participation by interested parties with the Council. Specifically meetings would be held from time to time in areas other than Eureka such as: coastal communities in southern Oregon, Fort Bragg, the Hoopa Reservation, Yreka, Klamath and others as the Council so chooses.

4b. **Communication**

65. Improve or establish communication with fishery management authorities on the Klamath in order to carry out our legal responsibilities

(Fullerton)

After item #62 is implemented, the council will communicate with fishery management authorities as specified in the Act.

4b. **Communication**

63. Establish a coordination mechanism between the Klamath Fishery Management Council and the Klamath Fisheries Task Force

(Bingham)

At present no formal coordination mechanism between Klamath River Fishery Management Council and Klamath Fisheries Task Force exists other than verbal reports by members who sit on both boards. Both groups are independently developing long-term plans for the Basin.

For example, a standing committee could be made up from members of both groups. This committee could:

1. Review and correct both plans in order to make them consistent.

2. Occasionally meet to review policies and actions of Klamath Fisheries Task Force and Klamath River Fishery Management council to ensure that they are consistent with both plans and the Klamath River Act.

5. **Escapement Policy**

7. Manage escapement to produce maximum sustained yield for each Klamath River run while preventing extinction of any Klamath River tributary natural sub-population (Martin)

The council proposes to manage escapement levels to achieve MSY for each run of anadromous fish (fall chinook, spring chinook, coho salmon, steelhead, etc.) from the Klamath Basin as a whole. The harvest, habitat, and artificial production actions will also be designed to prevent extinction of any tributary sub-population. Thus, some sub-populations may not be at maximum production but none will be managed to extinction and the whole basin will be managed for MSY.

5. Escapement Policy

25. Develop optimum escapement levels through harvest rate management

(Martin/Baracco)

It is the intent to discover the spawning escapement level which produces the maximum sustained yield for fall chinook salmon. Since that escapement level is currently not known, the council recommends that the optimum level be determined by harvest rate management, based on the Technical Team's best estimate of stock productivity.

Harvest Rate Management allows the spawning escapement to vary over a wide range, thus defining the stock/recruit relationship and the optimum escapement level. At that point, the council will manage by escapement level rather than harvest rate.

5. **Escapement Policy**

32. Manage all ocean and in-river fisheries that impact Klamath River stocks consistent with Klamath River natural production

(Martin)

The Council intends that the impact of all directed and incidental impact fisheries in the ocean will be managed to achieve a MSY escapement goal for Klamath River salmon stocks.

This means managing all directed ocean fisheries not to exceed the target exploitation rates while limiting incidental impacts in trawl and other ocean fisheries to acceptable levels of interception.

The impact of all in-river salmon fisheries will be managed not to exceed target exploitation rates such that in conjunction with properly managed ocean fisheries, the desired escapement will occur and thus maximum sustained yield for natural stocks will result in the long term.

5. Escapement Policy

42. Establish a threshold for natural stock productivity below which the KFMC will re-examine management methods for natural stocks

(Martin)

The KFMC has established a goal and escapement policy to produce MSY for the Klamath Basin as a whole. This is based on the expectation that an adequately seeded and productive habitat will produce a harvestable surplus in succeeding generations for the benefits of society.

The KFMC will direct the technical team to establish criteria and a regular analysis/reporting schedule to report on the productivity of the natural stocks. A serious decline in productivity caused by habitat deterioration or loss of genetic variability due to low population size or other genetic influences could jeopardize the expectation of benefits from a natural production management strategy. The KFMC will monitor natural stock productivity to ensure that the selected management strategies produce the expected benefits or to make adjustments in strategies as appropriate.

6. **Habitat**

8. Take appropriate action to insure water flows adequate to achieve optimal productivity of the basin
(Naylor, Warrens)

1) Review water releases and flow requirements under existing laws and regulations in the Klamath and Trinity River basins to determine their ability to achieve optimal productivity of anadromous species of fish.

2) Work with the control agencies to effect changes in the operation schedules where optimal productivity is not now being reached.

Note: The word "require" in the statement gives us a problem in defining what is really meant. The KFMC cannot really require the B.O.R. or power companies, water rights boards etc to do anything.

6. **Habitat**

9. Mandate by law minimum habitat standards

(Warrens)

The plan should identify and catalog all habitat characteristics which directly effect the production and migration of KR anadromous stocks.

These characteristics should then be subjected to a qualitative analysis or assessment. A point at which any of these characteristics has degraded to the extent of causing a significant loss of salmonid production or impairs migration will be determined. These points will then be identified as minimum habitat standards.

Any party or entity which causes such habitat degradation below those minimum standards shall be required to reverse such activities and may be required to mitigate damages caused to the fishery or production.

This provision will be recommended to the appropriate law-making bodies for enactment.

6. **Habitat**

16. Seek the establishment of law that mandates minimum stream-flow standards

(Naylor, Warrens)

The KFMC will seek minimum flow requirements for important streams within the basin. This will be done by any appropriate means available to the Council and its constituent groups. The Council does not have the authority to implement stream flow requirements but should be proactive within established procedures to encourage control agencies to establish flows that will protect anadromous fish populations.

6. **Habitat**

40. Manage all ocean activities consistent with Klamath River natural production

(Martin)

The KFMC must be sure that activities which could potentially depress ocean survival such as ocean dumping, pollution, mining or estuarine habitat destruction are adequately controlled and monitored. Any ocean habitat destruction could translate into depressed ocean survival for Klamath River stocks.

A consistenly depressed ocean survival would necessitate a reduction in harvest to maintain freshwater spawning escapement. The resulting reduction in harvest and productivity would cause serious social consequences. The KFMC will establish a mechanism to monitor marine habitat projects which may cause a concern.

6. **Habitat**

67. Council to make recommendations to task force and management authorities on habitat issues as they arise (Baracco)

The KFMC recognizes that harvest management issues are closely linked to habitat protection and enhancement. The KFMC has previously discussed habitat alteration and water management practices as they impact harvest plans and will continue to provide the task force and other management authorities with recommended actions deemed necessary to protect Klamath Basin anadromous fish.

7. Allocation Strategies

18. Establish a two-tiered allocation system: 1) Determine minimum needs for each user group; 2) Allocate the remaining harvestable surplus to optimize the social and economic benefits in a fair and equitable manner as determined by the KFMC (Martin)

The intent of the allocation strategy would be to meet minimum needs for each user group first. These needs will be determined by the KFMC based on information and justifying rationale supplied by the user groups. A balance in meeting minimum needs will be ensured by a full public review of rationale with all parties and input from the public.

If additional harvestable surplus exists after meeting the minimum needs of all user groups, the surplus will be added to users' allocations based on a strategy to optimize social and economic benefits. The KFMC will determine the optimization strategy based on social and economic impacts analysis, input from the user group and agency/tribal representatives, input from the general public and will be consistent with the standards of the Magnuson Act, other applicable federal, state, and tribal laws. The allocation strategy must be deemed by the KFMC as fair and equitable.

7. **Allocation Strategies**

20. All fishery management authorities will be given equal credence and co-management status by Klamath Fishery Management Council

(Wilkinson)

It assures that the Klamath Fishery Management Council <u>will</u> give full and equal credence and co-management status to <u>all</u> state, federal, and tribal management authorities.

7. **Allocation Strategies**

36. Explore the use of Individual Transferable Quotas (ITQ) natural Klamath Fall Chinook Equivalents to Manage all fisheries (in-river and ocean)

(Bingham)

KFMC should investigate the possible use of an ITQ system for all entitled fishery participants, ocean and in-river. In this system an individual would be annually issued a quota of fall chinook equivalents based on some (to be determined) qualification standard. They could then choose to sell it or exercise it as they saw fit.

For example: a fall chinook equivalent quota of 100 FCEQ's used in the KMZ in June would allow the landing of 200 salmon based on a Klamath Ocean Harvest Model Klamath contribution rate of 50%. 100 FCEQ's used off San Francisco in July would allow 1000 fish to be landed if the contribution rate in that area was 10%.

Successful fisherman could purchase FCEQ's as needed from other fishermen. There would be no time/area closures in this system.

8. **Enhancement**

6. Production of more fish, i.e. target on surplus hatchery stock to strengthen depleted natural stocks (Baracco)

Naturally produced fish can accommodate less harvest than those nurtured in hatcheries. By shifting harvest strategies to the more productive hatchery component, depleted natural stocks could be allowed to rebuild at a faster rate. This would be particularly desireable if the natural stock was depleted by poor habitat conditions that had been corrected.

8. **Enhancement**

47. Recommend to the Klamath Fisheries Basin Task Force habitat and/or bio-enhancement measures for basin stocks found by Klamath Fishery Management Council to be weak relative to general basin productivity (Baracco)

Weak production units within the basin, when identified, should receive special consideration by the Klamath Fishery Management Council and the Task Force. This will insure that the basins' most critical enhancement needs receive a high priority and that harvest strategies will not be unnecessarily constrained by stock declines triggering status as endangered species.

8. **Enhancement**

5. Assess the need for and explore methods of expanding production by hatcheries and/or other means of bio-enhancement

(McIsaac)

The KFMC will assess the need for and explore methods of expanding fish production with the use of hatcheries and/or other means of bio-enhancement. Assessing the need for enhancement will be accomplished pursuant to the stock status and fish production potential assessments described in dimension 3, options 12 and 69, respectively. During exploration of methods to achieve greater levels of fish production, great care will be given to assessing any negative impacts that could be caused to existing natural fish populations by a particular enhancement option. Assessing potential negative impacts will include a comprehensive case history survey of enhancement activities coastwide, particularly those that have caused decline in indigenous natural populations due to interactions between hatchery and wild juveniles (inter or intraspecific competition or direct predation), genetic changes due to interbreeding, habitat degredation due to such activities as effluent discharges, creation of mixed-stock harvesting dilemmas or other mechanisms.

The full spectrum of enhancement techniques will be explored for use in rehabilating depressed natural populations or achieving new, additive production. This spectrum will include at least large, state-of-the-art mega-hatcheries (with and without off-station acclimation pond capabilities), low-tech portable rearing ponds, spawning channels, over-wintering ponds, and egg boxes. All available rearing strategies will also be explored, such as fry planting, extended rearing of smolts, and natural life history mimickry.

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

1. DECISION MAKING PROCESS

- 21. MANDATE MANAGEMENT DISPUTE RESOLUTION BY A MEDIATION/ ARBITRATION PROCESS
- 30. AMEND KFMC DECISION PROCESS TO DECIDE BY 2/3 MAJORITY
- 53. STATUS QUO
- 54. AMEND DECISION PROCESS TO REQUIRE 2 VOTES TO VETO
- 61. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING HARVEST SHARING AGREEMENT TO **PFMC** FOR ADOPTION
- 62. ESTABLISH A STEPWISE PROCESS FOR SUBMITTING RECOMMENDATIONS TO OTHER MANAGEMENT AUTHORITIES

2. HARVEST MANAGEMENT STRATEGIES

- 1. COORDINATED SEASONAL MANAGEMENT: TIME, AREA, NOT QUOTA
- 1A.COORDINATED SEASONAL MANAGEMENT: TIME, AREA
- 11. FINE-TUNE ALLOCATIONS BY ALLOWING IN-RIVER FISHING IN ALL SALMON SPAWNING RIVERS
- 17. DEVELOP REGULATIONS THAT ALLOW USERS ACCESS TO THE STOCKS
- 19. DIRECT ALL RIVER HARVEST TO HATCHERY STOCKS ONLY
- 55. DESIGN HARVEST REGIMES TO ACHIEVE AN APPROPRIATE BALANCE BETWEEN AVAILABLE NATURAL AND SURPLUS HATCHERY STOCKS
- 34. DEVELOP A TERMINAL FISHERY
- 35. EXPAND BOUNDARIES OF THE KMZ
- 44. OPEN ALL COMMERCIAL FISHING TO FULL SEASONAL MANAGEMENT

3. RESOURCE ASSESSMENT & MONITORING

- 2. DEVISE A MONITORING PROGRAM THAT ENABLES INSTANTANEOUS ESTIMATION OF HARVEST STATUS OF ALL SALMON STOCKS
- 4. SEEK FUNDS FOR IMPROVED IN-SEASON DATA COLLECTION
- 10. MARK ALL KLAMATH FISH
- 12. DETERMINE POTENTIAL PRODUCTION OF EACH SPECIES IN THE BASIN
- 13. DETERMINE VARIOUS POTENTIAL MIXES
- 24. DEVELOP A METHOD TO IMMEDIATELY IDENTIFY HATCHERY FISH

(continues on page 2 ☞)

TIE LINE

OCT. 5, 1990

ATTACHMENT 10

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

3. RESOURCE ASSESSMENT & MONITORING *(continued)*

- 27. IMPROVE HARVESTABILITY OF HATCHERY FISH BY ALTERING STOCKS, RELEASE LOCATIONS, AND BY FIN CLIPPING
- 33. DEVELOP NEW SORTING AND HARVEST METHODS
- 48. INSTITUTE A COASTWIDE GSI OCEAN LANDING SAMPLING PROGRAM TO DETERMINE STOCK COMPOSITION OF OCEAN LANDINGS
- 69. ASSESS AND MONITOR ALL ANADROMOUS SPECIES IN THE KLAMATH BASIN

4a. ORGANIZATIONAL APPROACH

- 3. FORM A KLAMATH RIVER PRODUCERS' COOPERATIVE
- 50. MAINTAIN STATUS QUO ORGANIZATION
- 64. UPON ELECTION OF THE YUROK INTERIM COUNCIL, THE TITLE OF NON-HOOPA REPRESENTATIVE WILL BE CHANGED TO THE YUROK REPRESENTATIVE
- 70. ADD SEAT TO COUNCIL FOR KARUK REPRESENTATIVE

4b. COMMUNICATION

- 15. INCREASE TIMELY COMMUNICATION ON AGENCY MANAGEMENT PRACTICES
- 26. IMPROVE PUBLIC INVOLVEMENT IN PROBLEM SOLVING STRATEGIES
- 56. PRODUCE NEWSLETTERS AND FLYERS
- 57. VARY LOCATIONS OF MEETINGS
- 65. IMPROVE OR ESTABLISH COMMUNICATIONS WITH FISHERIES MANAGEMENT AUTHORITIES ON THE KLAMATH IN ORDER TO CARRY OUT OUR LEGAL RESPONSIBILITIES
- 63. ESTABLISH A COORDINATION MECHANISM BETWEEN KFMC AND KTF

5. ESCAPEMENT POLICY

- 7. MANAGE ESCAPEMENT TO PRODUCE MSY FOR EACH KR RUN WHILE PREVENTING EXTINCTION OF ANY KR TRIBUTARY WILD SUB-POPULATION
- 25. DEVELOP OPTIMUM ESCAPEMENT LEVELS THROUGH HARVEST RATE MANAGEMENT
- 32. MANAGE ALL OCEAN AND IN RIVER FISHERIES THAT IMPACT KR STOCKS CONSISTENT WITH KR NATURAL PRODUCTION
- 37. MANAGE ALL OCEAN SALMON FISHERIES CONSISTENT WITH NATURAL PRODUCTIVITY

(continues on page 3 ☞)

TIE LINE

OCT. 5, 1990

ATTACHMENT 10

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

5. ESCAPEMENT POLICY *(continued)*

- 42. ESTABLISH A THRESHOLD FOR NATURAL STOCK PRODUCTIVITY BELOW WHICH WE WILL RE-EXAMINE THE METHODS OF MANAGEMENT FOR NATURAL FISH
- 49. AMEND ESCAPEMENT GOAL RATE TO INCLUDE A CEILING

6. HABITAT

- 8. REQUIRE WATER FLOWS ADEQUATE TO ACHIEVE OPTIMAL PRODUCTIVITY OF THE BASIN
- 9. MANDATE BY LAW MINIMUM HABITAT STANDARDS
- 16. IMPLEMENT MINIMUM STREAM-FLOW STANDARDS
- 40. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH KR NATURAL PRODUCTION
- 58. MANAGE ALL OCEAN ACTIVITIES CONSISTENT WITH HARVEST MANAGEMENT PLANS
- 67. COUNCIL TO MAKE RECOMMENDATIONS TO TASK FORCE AND MANAGEMENT AUTHORITIES ON HABITAT ISSUES AS THEY ARISE

7. ALLOCATION STRATEGIES

- 14. MAKE 4 INTERIM AND 1 LONG-TERM ALLOCATION
- 18. ESTABLISH A TWO-TIERED ALLOCATION SYSTEM: 1) DETERMINE MINIMUM NEEDS FOR EACH USER GROUP; 2) ALLOCATE TO OPTIMIZE THE SOCIAL & ECONOMIC BENEFIT DETERMINED TO BE EQUITABLE & FAIR BY KFMC
- 20. ALL FISHERY MANAGEMENT AUTHORITIES WILL BE GIVEN EQUAL CREDENCE & CO-MANAGEMENT STATUS BY KFMC
- 28. INSTITUTE AN ITQ SYSTEM FOR KMZ TROLL SALMON
- 36. EXPLORE THE USE OF ITQS OF NATURAL KLAMATH FALL CHINOOK EQUIVALENTS TO MANAGE ALL FISHERIES (IN-RIVER AND OCEAN)
- 38. REGULATE EFFORT SHIFTS TO RESERVE KMZ ALLOCATION FOR LOCAL FISHERMEN
- 41. ESTABLISH A MINIMUM 50% SPLIT BETWEEN INDIAN AND NON-INDIAN HARVESTABLE FISH
- 43. ESTABLISH .50 OCEAN HARVEST RATE
- 51. STATUS QUO (89/90) PERCENT SHARES AMONG ALL USERS UNTIL AGREEMENT OF ALL PARTIES TO MODIFY OR NEW LEGAL DIRECTION OCCURS
- 52. MAINTAIN STATUS QUO AGREEMENT .525/.325
- 60. BASED ON POTENTIAL COMBINATIONS OF PRODUCTIONS OF THE 6 SPP., DEVELOP A SHARING AGREEMENT AMONG ALL USERS FOR ALL 6 SPP.

TIE LINE

FINAL OPTIONS FIELD/OPTIONS PROFILE FOR DESIGNING A LONG-TERM STRATEGY FOR MEETING KFMC GOALS

8. ENHANCEMENT

- 6. PRODUCTION OF MORE FISH, I.E., TARGET ON SURPLUS HATCHERY STOCK TO STRENGTHEN DEPLETED NATURAL STOCKS
- 47. RECOMMEND TO THE KB TASK FORCE HABITAT AND/OR BIO- ENHANCE-MENT MEASURES FOR BASIN STOCKS FOUND BY KFMC TO BE WEAK RELATIVE TO GENERAL BASIN PRODUCTIVITY
- 5. ASSESS THE NEED FOR & EXPLORE METHODS OF EXPAND-ING PRODUCTION BY HATCHERIES AND/OR OTHER MEANS OF BIO-ENHANCEMENT

OCT. 5, 1990

ATTACHMENT 10