

MINUTES
KLAMATH FISHERY MANAGEMENT COUNCIL MEETING
December 8-9, 1999
Windmills Inn
Ashland, OR
Meeting #58

Wednesday, December 8

1:00 pm Convene Klamath Fishery Management Council (KFMC) meeting

<u>Members present:</u>	<u>Representative Seat:</u>
Dave Hillemeier (for Troy Fletcher)	Non-Hoopa Indians Residing in the Klamath Conservation Area
Paul Kirk	California Offshore Recreational Fishing Industry
Leonard Masten	Hoopa Valley Tribe
Don McIsaac	Oregon Department of Fish and Wildlife
Mary Ellen Mueller	Department of the Interior
Felicia Oldfather (for Dave Bitts)	California Commercial Salmon Fishing Industry
Mike Rode (for Boydston)	California Department of Fish and Game
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Kirk and Oldfather (alternate for Bitts) did not arrive until after the first break, due to bad road conditions. Bostwick, Lone and Viele were absent.

Other speakers: Jennifer Silveira, Mike Burner, Scott Barrow, George Kautsky. (See Attachment 1).

ADMINISTRATION

Agendum 1. Review and approve agenda

McIsaac asked to add his parting thoughts as chair and offer future considerations for the Council (Agendum 31). Hillemeier requested an item on fall chinook accounting (Agendum 25a). Wilkinson requested an item on the Task Force Budget Committee (Agendum 10). Agenda 12a, 19a, and 19b were added later during the meeting.

Wilkinson made a motion:

Motion: to approve the agenda as amended.

Motion passed unanimously.

Agendum 2. Review background materials and correspondence

Jennifer Silveira reviewed the handouts (see Attachment 2).

Agendum 3. Adopt minutes of meetings held in February, March, and April, 1999

Wilkinson asked whether any corrections to the minutes had been received by the Yreka Fish and Wildlife Office staff. There were none.

Wilkinson made a motion:

Motion: to adopt the minutes as presented.

Motion passed unanimously.

Agendum 4. Reports on appointment/reappointment of members

Silveira discussed the status of KFMC member reappointments. The Council charter requires members to be reappointed every four years. The State of California and the Department of Interior (DOI) authorities have not submitted updated appointment letters, although staff sent reminder letters. Rode explained that other State of California appointments have greater priority for the new governor than KFMC appointments. There is no indication when the state will make the appointments. Hillemeier said the Yurok Tribe will submit an appointment letter announcing Fletcher's replacement soon. Silveira explained that according to the Klamath Act, an appointment letter from DOI is also needed for that representative. Mueller offered to follow up on the DOI appointment. Letters received regarding appointments (Handout A, Handout B and Handout C) were introduced.

1999 MANAGEMENT SEASON

Agendum 5. Retrospective on 1999 fishing season and discussion

Hillemeier gave a report on the 1999 Yurok tribal fishery. The Yurok fishery had a harvest of 11,600 fall chinook, 95% of quota of 12,240. The only fishery closures they had were for the purpose of coho conservation, in late September. They had a small successful commercial fishery in which 2,700 fish were marketed. A \$100 tribal permit was necessary to participate, and there were specified marketing constraints. The Klamath spit fishery was closed to non-tribal sportfishing this year, creating animosity between tribal fishers and sport fishers. It was a major step backward in the relations between the two, but Hillemeier said he believed the bad feelings would be short-lived.

Masten, Oldfather and Kirk reported on their fisheries later in the meeting (see Agendum 5 below).

Agendum 8. Northern fisheries and escapement

Mike Burner introduced and explained Handout D. Fall chinook troll catches in 1999 were less than projected off the Oregon Coast, and about half that of 1998. In recreational fisheries off of Oregon, catch and effort were higher than last year, but still under projections. In the recreational selective fishery for coho off the mouth of the Columbia, the 1999 projected catch was 55,000, but the catch was 27,000. One bit of excitement was the return of a coho fishery off the central Oregon coast. In that selective fishery, about 6,000 coho were caught out of a quota of 15,000. Burner discussed the data collected from

the monitoring of that fishery (see Table 4 of Handout D). Wilkinson said the Chetco and Elk catches were half that of last year, and the Humboldt area was approximately the same.

Regarding escapement, the Rogue River fall chinook returns were as expected. Coho hatchery returns are given in Table 3 of Handout D.

Agendum 7. Sacramento River escapement status

Scott Barrow introduced and explained Handout E, a table titled the Status Report of the 1999 Ocean Salmon Fisheries off Washington, Oregon, and California. In the troll fishery overall, the catch was down, and the effort was down compared to last year. In the recreational fishery, catch and effort were higher than last year, but still under projections.

Agendum 6. Klamath river escapement status

Rode introduced and explained Handout F, showing several tables on the Klamath and Trinity fisheries. Additional area was included in the creel census this year to improve quota management. On the Klamath side, the harvest quota was exceeded below Coon Creek by a few fish. Above Coon Creek the quota was met and the fishery was closed. The fishery above I-5 to the Iron Gate hatchery re-opened later in the season and exceeded the quota. The Trinity harvest was below the quota (529 fish out of 870). Catch and release mortality of 10% was deducted from the quotas this year. The steelhead fishery was almost all catch and release, due to a 1 fish retention/day rule. That rule, and the closure of the spit fishery, were not popular with anglers.

Rode said that preliminary escapement data on the Shasta show that spawner numbers are up, but in the other tributaries the numbers are down. A possible explanation is that this spawner run includes the 1996 brood year, when the "New Year's Flood" of 1997 hit. The Shasta was not as heavily flooded that year as other areas. Rode thanked the Hoopa Valley Tribe for their assistance with the creel census.

Agendum 8. Northern fisheries and escapement - Continued

Wilkinson reported that this year effort shifted from the Newport area to the Coos Bay area. The in-river Coquille fishery is robust this year, but few coho have been seen. Salmon and steelhead spawners on that part of the coast were initially trapped in the estuaries due to low river flows, but now that there is adequate water they have made their way far up the river systems.

3:00 pm Break

Agendum 5. Retrospective on 1999 fishing season and discussion - Continued

Oldfather reported on California commercial ocean fisheries. There were two test fisheries in 1999. The test fishery below Point Sur had a high quota, but only 2 fish were landed. The test fishery off Half Moon Bay met its quota in just 3 days. Fishing conditions off the California coast in June and July were good, with fish bigger than usual and good prices. In August fishing was slow. In September, fishing was very good in Bolinas, but otherwise spotty.

Kirk reported on the Klamath Management Zone (KMZ) fisheries. He stated that fish were less abundant this year. The fish were of better quality, but there was less opportunity to get out and fish, due to weather.

Kirk expressed concern that effort has been down the past few years. The recreational fishery is struggling to hold on, especially with limits on ground fishing. The Klamath Coalition is concerned about the in-river fishery making a move to take some of the ocean recreational fishery's allocation. The KMZ has caught below their limit for many years, but they want to see their unused catch go to escapement, not given to another fishery. If there is a move to change the allocation, they would like go back to a 2 fish bag limit.

Wilkinson and Kirk reviewed the history of management of the KMZ fishery and the 1 fish bag limit, to inform the newer members.

GENERAL

Agendum 10. Klamath Task Force (TF) update

Wilkinson reported on the TF Budget Committee meeting. The KFMC's efforts to reeducate the TF's Technical Work Group (TWG) on the importance of harvest monitoring needs have not been as successful as desired. The TWG recognizes that funding harvest monitoring is a continuing problem, but they believe it is a political problem to be solved by the TF. As the TWG sees it, they prioritize projects based on technical merit, and then the need to fund harvest monitoring projects overturns that prioritization. Yet the TWG continues to rank harvest monitoring projects low enough that they fall below the cutoff for TF funding. They don't believe harvest information is conducive to rehabilitating fish populations. In addition, there is TWG resistance to setting money aside into a special category for harvest monitoring.

Rode stated that the primary responsibility of the Task Force is for habitat restoration, and the TWG feels extremely frustrated when they have to squeeze harvest management activities into the \$143,000 available for restoration, precluding other worthwhile activities. Agencies that do monitoring have been losing funding or money is not being provided for inflation. They are asking for others to pick up the shortfall.

A lot more money is needed to pay for monitoring, and the TF and KFMC must work together to get it. Members discussed this effort.

Agendum 11. Pacific Fishery Management Council (PFMC) update

Since Lone was absent, McIsaac referred members to Handout G, an excerpt from the PFMC's Pacific Council News.

Agendum 24. Report on the PFMC's Salmon Non-retention Mortality Committee

Barrow reported on the latest actions by this committee (Handout G includes a report on this). The PFMC's Salmon Technical Team has been reviewing existing studies on non-retention mortality in recreational fisheries. They found that the median mortality level shown in the studies was well over the 8% mortality rate currently used in non-retention recreational fisheries off Oregon and Washington. The STT will continue working on this and make a recommendation on an interim mortality rate before the March PFMC meeting. It will probably be higher than the currently used rate, and won't apply to California.

Agendum 12. Trinity River Task Force (TTF) Update

Mueller and Kirk reported on new members on the TTF from agricultural and power industry interests, and the TTF's commitment to a greater role. Each TTF member will now be involved with a subcommittee. The purpose of this is to handle policy issues with consistency, and to allow for good communication. Current issues the TTF is discussing are an adaptive management structure, a budget participation strategy, and an outreach strategy. The new members must be educated on the importance of funding monitoring on the Klamath. Mueller gave an update on the Trinity River Mainstem Fishery Restoration Environmental Impact Statement (EIS). The public comment period will close on January 20. It has not been as contentious as expected. The Record of Decision (ROD) is still set for April.

Agendum 5. Retrospective on 1999 fishing season and discussion - Continued

Masten reported on Hoopa fisheries. In 1999, 2, 976 adult fall chinook were harvested, out of a 3,060 quota; 108 jacks were harvested. The spring chinook harvest was 776 adults and 13 jacks. Harvest dropped at the end of July, then it climbed again. George Kautsky reported that Hoopa Tribal Fisheries had not observed a delayed return of spring and fall chinook as in 1997 and 1998. Hillemeier agreed; no spring tags appeared in the Yurok fishery after July 31. Jack size seemed normal; (last year small jack sizes caused confusion between jacks and adults).

Agendum 9. Public Comment

None offered.

5:00 pm Recess

Thursday, December 9

8:00 am Reconvene

<u>Members present:</u>	<u>Representative Seat:</u>
Dave Hillemeier (for Troy Fletcher)	Non-Hoopa Indians Residing in the Klamath Conservation Area
Paul Kirk	California Offshore Recreational Fishing Industry
Leonard Masten	Hoopa Valley Tribe
Don McIsaac	Oregon Department of Fish and Wildlife
Mary Ellen Mueller	Department of the Interior
Felicia Oldfather (for Dave Bitts)	California Commercial Salmon Fishing Industry

Mike Rode California Department of Fish and Game
(for Boydston)

Keith Wilkinson Oregon Commercial Salmon Fishing Industry

Other speakers: George Kautsky, Jerry Barnes, Mike Burner, Jennifer Silveira, Russ Crabtree, Scott Barrow, Mike Orcutt. (See Attachment 1).

Agendum 12a. Mid Program Review Highlights

Wilkinson summarized the activity of the TF subcommittee that reviewed the recommendations of the Mid-Term Evaluation of the Klamath restoration program. The subcommittee drafted a matrix of actions the TF could take. The TF did not address this issue at their last meeting. The TF has never asked the National Marine Fisheries Service (NMFS) to comment on the Long Range Plan for the Klamath River Basin Conservation Area Fisheries Restoration Program. The plan could be modified to be the model for Klamath restoration. Members discussed this idea, and recalled that the KFMC developed a strategic plan that most members have never seen. McIsaac asked staff to find and distribute that plan, and to draft a letter encouraging the TF to address the subcommittee's recommendations regarding the Long Range Plan. Later, Wilkinson introduced Handout H, the Klamath Task Force Subcommittee Recommendations on the Mid-Term Review.

REPORTS FROM THE TECHNICAL ADVISORY TEAM (TAT)

Agendum 13. Final stock recruitment modeling report

Kautsky reported that this report will be completed by Fall, 2000.

Agendum 14. Progress of stock predictor refinement

Kautsky reported that work continues to improve the predictor, but there will be no changes in 2000.

Agendum 16. Status of TAT document archive assignment

Barnes introduced Handout I, the Klamath River Technical Advisory Team Report Bibliography. He reported that significant progress has been made on compiling TAT documents. The documents will eventually be housed at the Yreka Fish and Wildlife Office.

10:00 am Break

Agendum 15. Spring chinook management update

Kautsky reported that the TAT continues to work toward developing tools needed to manage spring chinook, similar to those used for fall chinook management (a predictor, an analysis of fishery performance, stock recruitment relationship etc.)

Agendum 17. Revision of the Klamath Ocean Harvest Model (KOHM)

Kautsky reported that a revised KOHM will not be ready for this season, but will be ready in late summer, 2000. TAT members and other scientists from NMFS and California Department of Fish and Game (CDFG) are working hard on it.

Agendum 8. Northern fisheries and escapement - Continued

Burner reported on the number of fish caught in California in the September troll fishery (House Rock to Humboldt South Jetty) that were landed in Brookings. In that September fishery, about 2500 fish were caught out of a 7000 fish quota, and 116 were landed in Brookings.

FUTURE MANAGEMENT ISSUES

Agendum 19a. Review of Big Bar Complex Fire

Barnes reported on the 100,000 acre fire. Watersheds that experienced damage that may affect anadromous fish include the New River (70-80% of watershed consumed), Horse Linto Creek (80% consumed), Red Cap Creek, and Mill Creek. The Horse Linto salmon population was reestablished by native stock enhancement work through 1993, and this year 300 natural spawners were counted there. Although large areas were burned, a small percentage were burned at high enough intensities to cause hydrophobicity of the soil and severe erosion. Besides fire damage there was also "suppression damage", 100 miles of tractor fire lines "so wide you could land a 747 jet in them". Two million dollars will go to fire rehabilitation. In wilderness areas, the Forest Service will not do any rehabilitation that will impede natural processes; there will be little erosion from the hand fire lines constructed in wilderness areas.

11:30 am Lunch

1:00 pm Reconvene

Agendum 19b. Recognition of Don McIsaac

Wilkinson presented McIsaac with a plaque from the KFMC and a wood sculpture he carved in gratitude for a job well done. The plaque read "With gratitude to Donald O. McIsaac, Ph.D., A Skillful and Respected Chairman, for His 9 Years of Service on the Klamath Fishery Management Council". On behalf of the Klamath Coalition, Russ Crabtree presented a photo of Brookings Harbor and two belt buckles with salmon motifs.

Agendum 6. Klamath River escapement status - Continued

Mueller presented the preliminary 1999 mainstem Klamath redd count: 987. Last year the count was 1415.

Agendum 20. Report on the current essential fisheries monitoring funding situation

Rode reported that the monitoring duties of the California Department of Fish and Game (CDFG) have expanded while funding has been cut. In 2000, CDFG will again be dependant upon Task Force funding for their monitoring program.

Agendum 21. Report from the Long Range Funding Committee

Wilkinson reported on the activity of the Long Range Funding Committee, and introduced Handouts J, on the Long Term Funding Proposal, and K, a draft of the Klamath River Basin Fishery Resources Restoration Act - Enhanced Implementation. Members discussed the funding request compiled by the committee and options for finding the funding, such as an agency line item under the U.S. Fish and Wildlife Service (USFWS). Wilkinson reported on the Congressional Appropriations for salmon recovery under H. R. 3421: the Northern Fund, the Southern Fund, and the Salmon Fund. Handout L (H. R. 3421,) was introduced.

Agendum 22. Coordination of tribal and in-river recreational allocations through the PFMC process

Handout M, a memo from Viele to Silveira was introduced, describing the transfer of unused impacts from the ocean commercial fishery to the in-river recreational fishery in 1999, and how that affected tribal/non-tribal sharing. Handout N was introduced, a letter to Boydston from the Pacific Coast Federation of Fisherman's Associations regarding the November 9, 1999 meeting of California Salmon Interests. Members discussed the issue, and how a similar problem might be avoided in the future. No action was taken.

3:00 pm Break

Agendum 25. Endangered Species Act (ESA) status of chinook in Oregon and California

Hillemeier introduced and explained Handout O, a letter to the Assistant Secretary of Commerce from the Yurok Tribe, encouraging the Department of Commerce to make recovery planning for Southern Oregon/Northern California Coastal Coho Evolutionarily Significant Unit (ESU) a priority. On behalf of Viele, Silveira referred members to Handout P, a letter to Lone from NMFS regarding chinook listings. McIsaac requested this topic be included in the February agenda.

Agendum 27. Council discussion of potential future management implications of final ESA decisions

Barrow introduced Handout Q, a letter from Boydston, to attendees of the California Salmon Coordination Meeting, regarding the proposed schedule of adoption of 2000 California salmon fishing regulations. Kirk expressed concern that lower river constituents may not be aware that they will not be able to lobby for changes in the in-river regulations after the April California Fish and Game Commission meeting. He requested that staff be sure to send this meeting's handouts to Bostwick.

Agendum 25a. Fall Chinook Accounting

Hillemeier asked Rode for clarification on fall chinook accounting after October 15th. Rode asked Hillemeier to refer the question to Boydston.

Agendum 26. Public comment

Crabtree of the Klamath Coalition stated the Coalition believes that the in-river allocation should be held at 15%, and that any surplus ocean Klamath impacts should go to escapement. He asked the Council to urge the California Fish and Game Commission to determine the in-river allocation promptly.

Agendum 28. Review of motions and assignments

Silveira reviewed a list of motions and assignments. Mike Orcutt informed members that the PFMC had sent a comment letter to the U. S. Fish and Wildlife Service regarding the Trinity River Mainstem Fishery Restoration EIS, supporting the preferred alternative. He asked whether the KFMC would like to do the same, and offered to help draft such a letter.

Masten made a motion:

Motion: to send a letter of support for the preferred alternative of the Trinity River Mainstem Fishery Restoration EIS.

Motion passed unanimously

Hillemeier made a motion:

Motion: to send a letter to Terry Garcia, Assistant Secretary of Commerce, expressing the Council's desire that the Southern Oregon/Northern California Coastal Coho ESU be a top priority when addressing recovery of West Coast ESU's.

Hillemeier offered to draft the letter. McIsaac and Rode said they would abstain from voting, as their agencies might hold other ESU's as higher priorities.

Motion passed, McIsaac and Rode abstained

Agendum 29. Identification of agenda items for next meeting: February 23-25, 2000, in Brookings, Oregon

Members suggested following topics for the February agenda:

- Mid-term Evaluation Subcommittee Recommendations
- ESA implications for future management
- Fall chinook accounting after October 15 - CDFG perspectives
- Usual February items

Meeting times were set for the spring:

Brookings: February 23, 1:00-5:00, February 24, 8:00-5:00, February 25, 8:00-12:00

Sacramento: Sunday, March 5, 1:00-5:00 and March 6-8 TBA

Portland: Sunday April 2, 2:00-5:00 and April 3-5 TBA

Agendum 30. Assignments to the TAT

McIsaac directed the TAT to continue their ongoing assignments and perform their routine duties.

Agendum 31. Comments by McIsaac - Perspectives for the Council

McIsaac complimented all those involved in the KFMC process. He gave his parting thoughts on future directions the KFMC might take, including going to stock-specific management instead of harvest rate management, focusing on water flow in the basin as a key measure to recovery, continuing to seek funding stability and adequacy, and merging with the TF to bring fishing and habitat people together.

5:00 pm Adjourn

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Mike Rode (for Boydston)	California Department of Fish and Game
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Other speakers:

Jerry Barnes	Klamath River Technical Advisory Team (TAT)
Scott Barrow	TAT, California Department of Fish and Game
Mike Burner	TAT, Oregon Department of Fish and Wildlife
Russ Crabtree	Port of Brookings
George Kautsky	TAT, Hoopa Fisheries Department
Mike Orcutt	Hoopa Valley Tribe
Jennifer Silveira	U.S. Fish and Wildlife Service

HANDOUTS
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(Handouts are listed in the order in which they were distributed)

December 8, 1999

- Agendum 4: Handout A. Letter from John C. Coon, Pacific Fishery Management Council, to Ron Iverson regarding appointment of Dr. Hans Radtke to the Klamath Fishery Management Council.
- Agendum 4: Handout B. Letter from John A. Kitzhaber, Governor of Oregon, to Mary Ellen Mueller regarding appointments of Guy Norman and Keith Wilkinson to the Klamath Fishery Management Council.
- Agendum 4: Handout C. Klamath Fishery Management Council Member Reappointment Status
- Agendum 8: Handout D. Data Tables on Northern Fisheries, December 1999.
- Agendum 7: Handout E. Status Report of the 1999 Ocean Salmon Fisheries Off Washington, Oregon and California - Supplemental STT Report C.1. November 1999
- Agendum 6 Handout F. California Dept. of Fish and Game Klamath and Trinity River Anadromous Fish Counts
- Agendum 11 Handout G. Excerpt from the Pacific Council News, November, 1999 - Salmon Management

December 9, 1999

- Agendum 12A Handout H. Klamath Task Force Subcommittee Recommendations on the Mid-Term Review , October, 1999.
- Agendum 16 Handout I. Bibliography - Klamath River Technical Advisory Team Reports
- Agendum 21 Handout J. Long Term Funding Proposal for Klamath River Basin Fishery

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- Agendum 21 Handout K. Draft Klamath River Basin Fishery Resources Restoration Act - Enhanced Implementation FY2000 Funding Increase Request
- Agendum 21 Handout L. 106th Congress H. R. 3421
- Agendum 22 Handout M. Memo from Dan Viele, National Marine Fisheries Service to Jennifer Silveria regarding Tribal/Non-Tribal Allocation and the Commission's Allocation for the In-River Sport Fishery
- Agendum 22 Handout N. Letter from Dave Bitts of the PCFFA to L.B. Boydston of CDFG regarding the November 9, 1999 meeting of California Salmon Interests.
- Agendum 5 Handout O. Letter from Susan Masten, Yurok Tribal Chair, to Terry Garcia, Assistant Secretary of Commerce regarding Recovery of Southern Oregon/Northern California Coastal Coho Salmon (SONCCC)
- Agendum 25 Handout P. Letter from Rodney McInnis, National Marine Fisheries Service, to Jim Lone, Pacific Fisheries Management Council, regarding Listing Determinations and Management Measures to Protect Chinook Salmon.
- Agendum 27 Handout Q. Letter from L.B. Boydston, CDFG, to Attendees of California Salmon Coordination Meeting: Regarding Notice of Intent to Amend Ocean Salmon Regulations and Proposed Schedule of Adoption of 2000 Salmon Fishing Regulations.
- Informational Handout R. NOAA Informational Document: Recovery Planning for West Coast Salmon - October 1999.
- Informational Handout S. Klamath Fishery Management Council Charter dated October 14, 1999.

MOTIONS AND ASSIGNMENTS
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Motions

Wilkinson: To approve agenda [Motion passed unanimously]

Wilkinson: To adopt minutes from February, March and April [Motion passed unanimously]

Masten: To send a letter of support for the preferred alternative of the Trinity River flows EIS [Motion passed unanimously]

Hillemeier: To send a letter to Terry Garcia, Assistant Secretary of Commerce, expressing the Council's desire that the Southern Oregon/Northern California Coho ESU be a top priority when addressing recovery of West Coast ESU's. [Motion passed, McIsaac and Rode abstained]

Assignments

Orcutt:

To draft a letter of support for the preferred alternative of the Trinity River flows EIS

Hillemeier:

To draft a letter to Terry Garcia, Assistant Secretary of Commerce expressing the Council's desire that the SONCC ESU be a top priority when addressing recovery of West Coast ESU's.

Staff:

To find the original TF letter asking NMFS to comment on Long Range Plan

To find the KFMC's Strategic Plan for harvest management

To prepare a letter to the Task Force asking them to address the Mid-term Evaluation Recommendations

To continue to work with Jerry Barnes on the TAT document project

To send all handouts to missing members

Upon receipt of the draft letters from Hillemeier and Masten, route them to the Council using consent mail process.