



## Pacific Fishery Management Council

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Dan Wolford, Chairman | Donald O. McIsaac, Executive Director

August 01, 2013

Mr. Will Stelle, Regional Administrator  
National Marine Fisheries Service  
7600 Sand Point Way, NE, BIN C15700  
Seattle, WA 98115-0070

RE Pacific Fishery Management Council Request for Information on the Sacramento River  
Winter Chinook Biological Opinion Methodology and Control Rule Components

Dear Mr. Stelle:

At the March 2012 meeting of the Pacific Fishery Management Council (Council), the National Marine Fisheries Service (NMFS) announced a new regulatory framework for Sacramento River Winter-run Chinook (SRWC) that was based on findings of the 2010 Biological Opinion and included a control rule with a no-take threshold; NMFS also offered further involvement with the Council towards understanding the scientific and policy basis of the new approach. At its April 2012 meeting, the Council assigned the Salmon Technical Team the task of looking into the scientific basis for the change in the control rule as part of the 2012 Salmon Methodology Review. At its April 2013 meeting, the Council held a workshop with the primary purpose of reviewing fishery management alternatives of two stocks listed under the Endangered Species Act, California Coastal Chinook (CCC) and SRWC, and approved a list of preliminary topics for the 2013 Salmon Methodology Review. Based on the results of the workshop and comments and reports at the April Council meeting, the Council did not include these two stocks in the 2013 methodology review. However, the Council remains interested in advancing the understanding and fishery management options for both stocks.

Regarding CCC, the Council is encouraged by ongoing research efforts by the California Department of Fish and Wildlife and NMFS. The Council anticipates holding a workshop in the spring of 2014 to review progress towards improved science and the potential of an abundance-based management approach.

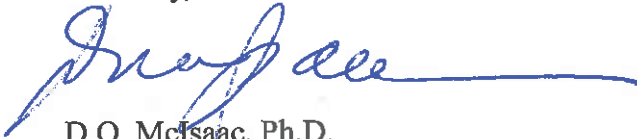
Regarding SRWC, the Council requests a NMFS presentation on the basis of the NMFS Biological Opinion jeopardy determination for ocean salmon fisheries, the subsequent management strategy evaluation, and the reasonable and prudent alternative selected by NMFS as part of the current consultation standard. While the April 2013 workshop presentations were helpful for those in attendance, the Council has yet to see the highlights of NMFS presentations at that workshop. Specifically, the Council requests a briefing on the control rule that limits the maximum age-3 impact rate for fisheries south of Point Arena, California based on the most recent 3-year geometric mean spawner escapement, relative to its extinction risk in comparison

to other alternatives examined in the management strategy evaluation. The Council is concerned that the existing control rule may be unnecessarily restrictive in years of low abundance, particularly in situations where the 3-year mean escapement falls below a 500 fish threshold that results in zero rather than *de minimis* impacts as is the case on other ESA-listed salmonids. The Council would like to have a discussion about alternative control rules that can provide incidental *de minimis* management flexibility, capable of preserving some level of opportunity for the harvest of healthy targeted stocks without significantly increasing the risk of extinction of SRWC.

Although not formally part of the 2013 Salmon Methodology Review process, the Council scheduled a NMFS report on these SRWC matters under the Salmon Methodology Review agenda item at the September 2013 Council meeting in Boise, Idaho. Ideally, a NMFS report provided for the advance Briefing Book for the September Council meeting on the basis of the current and alternative control rules would result in meaningful discussion about relevant issues. The Council could consider additional analyses or public notice for Council action at the November 2013 Council meeting in Costa Mesa, California, towards a potential Council decision to recommend NMFS consider changes in the management approach for the 2014 salmon preseason management cycle and fisheries.

Thank you for your advancement of transparency on this important issue. Should your staff have any questions on this matter, please contact Mr. Mike Burner at the Council office.

Sincerely,



D.O. McIsaac, Ph.D.  
Executive Director

MDB: kam

- c: Council Members
- SSC Members
- STT Members
- SAS Members
- Dr. Cisco Werner
- Dr. Steve Lindley
- Mr. Mike Burner
- Ms. Heidi Taylor
- Mr. Chuck Tracy