

## SACRAMENTO WINTER CHINOOK HARVEST CONTROL RULE

Sacramento River winter Chinook (SRWC) were listed as endangered under the Endangered Species Act (ESA) in 1989 and have been a limiting factor in the management of salmon fisheries. At the March 2012 meeting of the Pacific Fishery Management Council (Council), the National Marine Fisheries Service (NMFS) announced a new regulatory framework for 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 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; Agenda Item F.9 at this meeting deals with CCC.

In an August 1, 2013 letter from Council Executive Director Donald McIsaac (Agenda Item F.8.a, Attachment 1), the Council requested a NMFS presentation at the September 2013 Council meeting on the policy basis of the NMFS Biological Opinion jeopardy determination for ocean salmon fisheries, the technical substance of the management strategy evaluation (Agenda Item F.8.a, Attachment 2), and the reasonable and prudent alternatives reviewed by NMFS as part of the current consultation standard. Specifically, the Council requested 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 has expressed concern 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 impacts, as opposed to the *de minimis* impacts allowed on other ESA-listed salmonids (Agenda Item F.8.a, Supplemental Attachment 3). The Council has expressed interest in examining 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.

There was no presentation on these matters at the September 2013 Council meeting. However, on January 23, 2014, NMFS published in the *Federal Register* a notice of availability of the management strategy evaluation and a broad request for comments on alternative SRWC harvest control rules (Agenda Item F.8.a, Attachment 4). The Council and its advisory bodies are scheduled to review the management strategy evaluation and SRWC harvest policy and consider submitting comments on the matter by the April 23, 2014 deadline.

### **Council Action:**

**Provide Guidance for Submitting Comments on the Sacramento Winter Chinook Harvest Control Rule.**

Reference Materials:

1. Agenda Item F.8.a, Attachment 1: August 1, 2013 letter from Dr. McIsaac to Mr. Will Stelle, NMFS West Coast Regional Administrator regarding SRWC.
2. Agenda Item F.8.a, Attachment 2: *Management Strategy Evaluation for Sacramento River winter Chinook salmon.*
3. Agenda Item F.8.a, Supplemental Attachment 3: Allowable or *de minimis* Fishery Impact Rates on Salmonid Stocks Listed under the Endangered Species List.
4. Agenda Item F.8.a, Attachment 4: January 23, 2014 *Federal Register* Notice of Availability of a Management Strategy Evaluation, Request for Comments.

Agenda Order:

- a. a. Agenda Item Overview Mike Burner
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Provide Guidance for Submitting Comments on the Sacramento Winter Chinook Harvest Control Rule

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