

### **Amendment 14 of the Salmon FMP Implementation of the Overfishing Criteria in 2001**

Even though Amendment 14 has been transmitted to the Secretary of Commerce, there are still some ambiguities in the proposed language pertaining to Overfishing and the relationship between two columns in Table 3-1. The column entitled "conservation objective" is referenced in section 3.2.3.1 as the criteria that the Council is to use to judge if a stock is overfished. However, in some instances, these criteria are inconsistent with the information contained in the column entitled "subject to Council Actions to Prevent Overfishing" (e.g., Washington coastal coho stocks). There are obviously different interpretations of these conflicts and the Council needs to clarify its intentions. In addition to these inconsistencies, the Council needs to clarify its intentions as to when and how to apply the proposed changes in Overfishing procedures. Does the Council wish to assess management actions and subsequent spawning escapements from this time forward or immediately utilize the new criteria to assess past spawning escapements and associated management actions?

The tribes question the appropriateness of the latter choice. It is unfair to assess past management decisions based, in part, on the Council's previous standards and Overfishing guidelines by newly modified criteria. In essence, this is changing the rules in the middle of the game. Such an assessment would unfairly shift focus onto past management decisions, away from other, perhaps more significant, contributing factors to the low stock abundance.

The tribal preference is to utilize the new Overfishing criteria to assess management actions and associated spawning escapement from this time forward.

In the transition period to the new assessment procedure, the spirit and intent of the revamped Overfishing criteria still could be maintained with a Council letter. Notification should be sent to the management entities with jurisdiction over stocks that would trigger a review with the immediate application of the new Overfishing criteria. The letter should clarify change in criteria and encourage the entities to begin evaluating the relevant factors surrounding the stocks in question. This may involve re-evaluating a stock's conservation objective, a task that would represent a major undertaking. Consequently, early notification by the Council would be appropriate.

Perhaps a good example of this is Queets River coho. The existing conservation objective was originally established in 1981. Recently, production of this stock has been depressed and escapements have fallen below the lower end of the current spawning escapement range even with minimal ocean and in-river fishery impacts. Re-evaluation of the existing conservation objective against current environmental conditions and stock productivity parameters would be a major undertaking by the co-managers. Similar re-evaluation of the conservation objective for Oregon Coastal natural coho stocks (OCN) took several years.