



Klamath Fishery Management Council

Working to Restore Anadromous Fish in the Klamath River Basin

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October 10, 2002

California Commercial
Salmon Fishing Industry

California Department
of Fish and Game

California Offshore Sport Fishery

Hoopla Valley Indian Tribe

Klamath In-River Sport Fishery

National Marine Fisheries Service

Non-Hoopla Indian Representative

Oregon Commercial
Salmon Fishing Industry

Oregon Department
of Fish and Wildlife

Pacific Fishery Management
Council

U.S. Department of the Interior

Secretary Gale Norton
United States Department of the Interior
1849 C. Street N.W.
Washington, DC 20240

Subject: Klamath River Fish Kill

Dear Secretary Norton:

The Klamath Fishery Management Council (KFMC) is a federal advisory committee charged with developing recommendations to state, federal, and tribal agencies for the management of river and ocean fisheries that affect the Klamath River Basin anadromous fish populations. Congress created the KFMC specifically to assist the National Marine Fisheries Service (NMFS), the Oregon Department of Fish and Wildlife, the California Department of Fish and Game, and the Yurok and Hoopa Valley Tribal governments in managing the harvest of this valuable resource in a rational, coordinated, and sustainable fashion. Klamath salmon have sustained the Indian Tribes of the Klamath Basin since time immemorial; they remain central to the cultural and religious life of the Tribes. Klamath River fall chinook salmon have long been a key stock in the development of ocean salmon harvest management measures off Oregon and California.

The mass die-off of chinook and coho salmon returning this year to the Klamath River is on a scale that is unprecedented and disastrous. As fish entered the Lower Klamath River on their annual spawning run during September, the combination of low flows and high temperatures they encountered acted as a barrier to further upstream migration. Disease spread quickly through the large congregations of stressed fish, with a resulting mortality of at least 20,000 to 30,000 chinook salmon and hundreds of coho salmon, according to the US Fish and Wildlife Service.

Ocean and river fisheries were managed this year to return 57,000 adult spawners to the spawning grounds and the Basin's two hatcheries. The effect of the loss of a major portion of the spawning population will not be known until the spawning ground surveys and hatchery returns in the Klamath and Trinity River Basins are complete. The fish harvest by local tribes will be far below their anticipated levels,

and the river sport fishery has been impacted as well. Moreover, the impacts to this year's spawning population may have long-term implications to future production.

The hostile environment that fish often face in the Klamath River is a result of the cumulative physical and biological damage caused by land and water use throughout the Basin, including the Klamath and Trinity projects. This year is the first under the Bureau of Reclamation's (BOR) newly proposed 10-year operations plan for the Klamath Project. Under that plan, the September flows delivered into the Klamath River from BOR's Klamath Project were substantially less than were delivered in 2001, which was a drier year.

The KFMC and the Pacific Fishery Management Council expend substantial agency resources in developing ocean, river and tribal harvest plans designed to return a specific number of salmon to the Basin's natural spawning grounds and hatcheries, in order to ensure sustained production of the stock. These efforts, and the consequent constraints on coastal fisheries, may be rendered pointless by a fish kill of this magnitude.

The KFMC believes that a die-off of this magnitude constitutes new and important information that is relevant to 1) assessing the effects of the BOR's operation of the Klamath Project on recovery efforts for coho salmon, which are listed as threatened under the Endangered Species Act; 2) the ability of the federal government to manage ocean fisheries under the Magnuson-Stevens Fishery Conservation and Management Act; and 3) the ability of the federal government to fulfill its trust responsibilities to Indian tribes in the Klamath Basin. In the coming weeks, additional information will become available on the causes and consequences of the fish die-off. The KFMC recommends that the BOR and NMFS consider this new information, as well the Hardy Phase II report, and the National Research Council's final report in any decisions regarding future operation of the Klamath Project.

The events of last month demonstrate that the effects on essential chinook habitat may not have been adequately considered in the Magnuson-Stevens Act essential fish habitat consultation that was conducted in conjunction with BOR's Endangered Species Act section 7 consultation with NMFS on coho salmon. The KFMC urges the BOR to re-initiate consultation regarding the impact of the Klamath Project on essential fish habitat. Habitat elements that provide for all life history stages must be considered. In drier water years, adverse effects to chinook salmon habitat may be greater than to coho salmon habitat, due to chinook's greater reliance on the availability of suitable spawning habitat in the main stem of the Klamath River.

The brief release of additional water by the BOR seems to have coincided with movement of fish upstream. However, we remain concerned that the subsequent flow reductions may have numerous negative effects on the reproductive success of surviving adults. More importantly, this type of crisis management is not conducive to the long-term sustainability of salmonids in the Klamath Basin, nor to the well-being of the communities that depend on the natural resources of the Basin. In light of the BOR's tribal trust responsibility, as well as other legal obligations, the Klamath

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Project must be managed to provide sufficient flows to sustain a healthy Klamath River ecosystem, including all freshwater life stages of all anadromous fish within the river.

Sincerely,



Daniel Viele
Chairman

cc: Secretary of Commerce
Senator Feinstein
Senator Wyden
Senator Smith
Senator Boxer
Congressman Walden
Congressman Thompson
Congressman Herger
Congressman DeFazio

