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April 26, 2005

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PFMC

Vice-Admiral Conrad Lautenbacher  
Under Secretary of Commerce  
U.S. Department of Commerce  
National Oceanic and Atmospheric Administration  
14<sup>th</sup> Street & Constitution Avenue, N.W.  
Room 5805  
Washington, D.C. 20230

Dear Vice-Admiral Lautenbacher,

My name is Duncan MacLean and I am the California Salmon Troll advisor to the Pacific Fisheries Management Council and have been since 1991. I am writing to you in protest of the West Coast Salmon season structure as forwarded to you by the PFMC. As designed it does not take in to account many of the economic losses to the industry, the communities they represent, the support businesses or in fact the overall health of the resource itself as outlined by Magnuson-Stevens and the national Standards. It does not consider the best economic utilization to the nation or the ecosystem damage generated by escaping too many fish into an unsuitable environment. My reasons are as follows.

- Water and its allocation are universally accepted as being the culprit for the lack of productivity on the Klamath river. Not only has the water been over-allocated for seven out of every ten years but it takes up to two months just to swell the ground enough to release water into an open aqueduct system that loses up to thirty percent of that water to evaporation, and all to irrigate high water use, subsidized crops in the high desert. Making the fishing industry accountable for poor water use practices in stream hardly seems appropriate but the health of the Klamath River is what drives ocean Salmon fisheries South of Cape Falcon to the Mexican border.
- This year the Klamath River overall abundance is estimated as actually being twenty thousand fish greater than last years predicted abundance and on the Sacramento, the abundance is estimated as the highest on record at one million seven hundred thousand fish. The Klamath portion of the total ocean abundance is four percent. Whether the central valley fish are at high or low

levels the model calculates the same amount of Klamath fish impacted for a given period. With the Central Valley abundance at a prolific state there should be a dilution factor applied. There is not.

- Reducing fisheries is not going to protect fish or enhance the salmon survival rates on the Klamath river. Poor water use strategies will continue to degrade habitat and create unsuitable conditions for fish. Until the in-river ecosystem is managed in a way that satisfies the demands for water more adequately it is likely that the productivity will remain low. It is a well known fact that the river literally shuts down at night and little or no oxygen is produced. At the time the escapement floor of 35,000 fish was developed there was no way of knowing that in river conditions would get this out of hand. In the FMP it was not possible to foresee and address this situation. It may be time to re-evaluate the floor, however, it is this year that we need to be able to access those healthy Sacramento stocks. Not wasting 800,000 fish seems cause enough for an emergency action.
- We have used the Klamath as a surrogate for Coastal Chinook for the last four years. If the fisheries were responsible for the depressed situation on the Klamath, escaping eighty-four percent of the population should have revealed generous increases in the sock size. Is it reasonable to continue to ratchet back fisheries to escape more than ninety percent of the adult spawning population to no benefit and at the cost of other under-utilized stocks?
- The difference between ninety three percent (council option) and eighty nine and one half percent (our proposal) escapement is 3,000 Klamath fish. In order to save those 3,000 we have to forego harvest of 800,000 Sacramento fish. It is an awful high price to pay when there are currently no plans or changes in operation that would indicate improved river conditions. It stretches the precautionary principle a little far. As far as economic impacts to coastal communities, removing twenty six million ex-vessel dollars from the coastal economy can be crippling. June is historically the best income generating month in the Salmon fishery and the industry infrastructure is weak and fragile. A closure of this nature will devastate that infrastructure in the wake of the most prolific run of fish in history. The price of maintaining the floor, in this case, is just too high.

The adjustment to a ten and one half percent harvest rate, that I am suggesting would provide benefits to stakeholders in Oregon and California as well as the tribes. It would be applied with normal council defined allocations. Oregon troll would get in the neighborhood of thirty days in June in the Coos Bay cell and seventeen days in Coos Bay and Northern Oregon in July. There would be a modest increase in sport fishing opportunity in the California and Oregon KMZ area and the in-river sport would also get more fish for harvest. It would provide a number of fish to the Klamath tribes that would bring them very close to what they consider their minimum subsistence needs and for California Troll I would offer this. As an added buffer to prevent any potential of a runaway impact on Klamath fish or Coastal Chinook, a Point Reyes management line would be implemented to open the last twenty days of June (though it would be modeled

as if opened to Point Arena. The excess impacts would be an un-used set aside), and opened the additional three days of July to Point Arena.

Technically the 10.5% harvest rate is scientifically defensible, as stated by the STT to the council and should offer all the margin of comfort necessary for ESA listed coastal Chinook as well as future generations of Klamath

This would provide opportunity to impact the healthy Sacramento stocks without impacting Klamath to any great degree. The Point Reyes management line has been used in the past and has proven itself a useful and worthy tool. If the area between Pidgeon Point and Point Arena does not open until the fourth of July opportunity on the Sacramento Fall fish will be lost as they enter the river in mid July. The target escapement on the Sacramento system is 120,000 to 180,000 fish. The technical team estimates that approximately 1,000,000 fish will escape harvest to spawn under the existing scenario. Wave after wave of fish will dig up the eggs laid before them and the habitat will not likely be able to provide forage for the juveniles that do hatch and make their way downstream to the ocean. A trade of 3,000 Klamath spawners could prevent the waste of 800,000 Sacramento fish. Historically on the Klamath we see that all of the low adult returns have provided large broods. And probably just as important, given the last year's resurgence of consumer interest in wild fish, the Oregon Salmon Commission's "Go Wild" marketing campaign and California's Salmon council "buy California" program will be able to continue to highlight the health and taste benefits that our Pacific King Salmon have to offer. In 2004 there were roughly three million dollars ex-vessel landed in Pillar Point alone, the majority of that coming in May and June. This year with fuel prices up and expected to reach three dollars a gallon, my harbor will effectively be shut down during our peak months. This small adjustment could double last years ex-vessel value. The economic benefits to our coastal communities as well as the State and the Nation are indisputable.

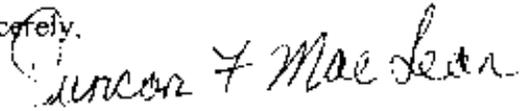
One final note which needs some attention is the safety factor. We have seen first hand what can happen when you put a guys back to the wall. With the way spring has reared it's head weather wise, it is likely to be a windy summer. The economic strain inspired by the existing season structure will have harsh repercussions. People in the fishery will be forced to fish in weather they otherwise would not even consider. Taking risks is a part of this business, but it should be left a choice.

My industry, I can proudly say, has always been at the forefront on conservation issues and we would be the last in line to jeopardize any natural resource. Currently we are awaiting a ninth circuit appeal decision on Klamath flows, we have invested countless dollars into "Salmon Stamp" for restoration and enhancement, just to name a few of our actions.

I can assure you that this request is not made lightly and I do understand that you would have to implement an emergency rule to accomplish this action and that we would be on the possible verge of triggering an over fishing review on the Klamath but the reasons for the lack of productivity are already understood. I believe the basic justifications have been outlined here to warrant the action. There would be no changes to the early part of the season structure as presently outlined so there would be plenty of time to make the necessary changes with little disruption.

Thank you for your time and consideration. If you have any questions I would be happy to answer them. Call (415)9873639 or e-mail at b-faye@pacbell.net

Sincerely,



Duncan F MacLean  
Ca. Salmon Troll Advisor, PFMC

c.c. Dianne Feinstein  
Anna Eshoo  
Sam Farr  
Bill Hogarth  
Donald Hansen