

HOOPA VALLEY TRIBAL COMMENTS ON
KLAMATH RIVER FALL CHINOOK OVERFISHING CONCERN

The Hoopa Valley Tribe is submitting these comments on the Pacific Fishery Management Council's (PFMC) pending action relative to the Klamath River fall Chinook (KRFC) Overfishing Concern. Tribal technical representation contributed to the Salmon Technical Team's (STT) recently completed report titled "Factors Affecting the Natural Area Escapement Shortfall of Klamath River Fall Chinook Salmon in 2004-2006." Together with the Yurok Tribe, the Hoopa Valley Tribe shares a property right to the anadromous fish of Klamath Basin (50% of the harvestable surplus of KRFC).

- (1) In the event that the PFMC fails to adopt Recommendation 1, as written in the STT's March 2008 Klamath River Fall Chinook Overfishing Review (35,000 natural escapement floor would need to be exceeded for three of four consecutive years), the Tribe will manage its fishery to clear the 35,000 floor for Klamath River natural area adult spawners.
- (2) PFMC's alternative and preliminary criterion offered on March 11, 2008 in Sacramento could rely on only **two** consecutive years with escapements in excess of 40,700 natural adults (maximum sustained yield escapement level identified by STT). With credit for the 2007 adult natural escapement, the overfishing concern would potentially be ended in 2008 on the strength of a single brood (Brood Year 2004).
- (3) Evidence shows that the 2003 brood was depressed and the 2005 brood returned record low jacks in 2007. Hence, reliance upon a single brood to end the overfishing concern, would ignore a significant signal indicating the stock is suffering from low recruitment.
- (4) Concern over PFMC's preliminary criterion is particularly heightened as 2008 ocean management is profoundly constrained by the depressed abundance of Central Valley Chinook. This presents PFMC with the appealing opportunity to end the concern over Klamath fall Chinook while managing for Central Valley Chinook constraints. However, in the event that the overfishing concern for Klamath were lifted by this criterion, PFMC would likely pursue harvest flexibility under Amendment 15 for 2009 management assuming Central Valley Chinook are no longer constraining.
- (5) The Hoopa Valley Tribe was opposed to Amendment 15 as it threatened to undermine the 35,000 floor in years of low abundance leading to heightened concerns for natural stock productivity and in particular the probability for falling below minimum viable threshold escapement levels for sub-basin stocks.
- (6) The Hoopa Valley Tribe views the STT's recommendations as consistent with a comprehensive rebuilding plan for Klamath fall Chinook. However, the report could have been strengthened by further exploring the role of hatchery practices upon recruitment. A recommendation to scale back fingerling production in exchange for increased yearling production at Irongate and Trinity River hatcheries was not included in the final report. Reductions in the present 7-9 million fingerlings currently being released between both facilities would reduce competition with naturally produced out-migrant Chinook. Regrettably, insufficient time was provided to fully explore the technical merits of this recommendation. The Hoopa Valley Tribe therefore would urge PFMC to direct the STT to focus consideration of such a recommendation in the future.

(7) In summary, the Hoopa Valley Tribe opposes PFMC's preliminary criterion for ending the overfishing concern for KRFC. The criterion was generated by the PFMC in the absence of substantive consultation with Klamath-Trinity Basin Co-managers. Moreover, the criterion falls short of a meaningful protective measure to ensure recovery of KRFC¹ while hastening implementation of Amendment 15 to KRFC's further detriment.

¹ The Pacific Coast Salmon Plan at § 3.2.3 Overfishing Concern states: "*a stock rebuilding plan should be effective within a single salmon generation (...three to five years for chinook).*"