



YUROK TRIBE

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March 24, 2020

Phil Anderson, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

Re: Klamath River Fall Chinook management objective for 2020

Aiy-ye-kwee’:

On behalf of the Yurok Tribe, I am writing to request the Pacific Fisheries Management Council (PFMC) manage ocean fishery harvest impacts for Klamath River Fall Chinook (KRFC) during the 2020 season to target a natural spawning escapement of 40,700 adult spawners, the Maximum Sustainable Yield (MSY) value for Klamath Fall Chinook, as depicted in Alternative 3 that is currently out for public review. KRFC abundance has been amongst record lows during four of the last five years, to the point that KRFC is currently designated as “overfished” by the PFMC. Given the depleted status of this stock during recent years, and other factors the PFMC should consider prior to implementing *de minimis* fisheries on KRFC per the Pacific Salmon Fisheries Management Plan (FMP), we believe the PFMC should implement a precautionary management approach to KRFC during the 2020 season, by managing for MSY. The Yurok Tribal Council is willing to join the PFMC in managing our fishery for 40,700 KRFC adult natural spawners, while managing our fishery to target 80% of the Klamath Tribal allocation during the 2020 season.

The Yurok Tribe is the largest Tribe in California with over 6,200 members. The Yurok reservation spans a mile each side of the lower 44 miles of the Klamath River; all anadromous fish that return to the Klamath Basin migrate through the Yurok reservation. The Klamath river is the lifeblood of the Yurok people, and the Klamath River fishery is integral to the Yurok way of life, for ceremonies, sustenance, and commerce. We have lived along the Klamath River since time immemorial in a symbiotic relationship with the thriving ecosystem. Harvest opportunity in the coming season is of extreme importance to us, especially given the lack of opportunity we’ve faced in recent years; however, an over-arching concern is that future generations of Yurok People have healthy fish populations upon which to maintain the Yurok way of life.

Several species important to us have undergone severe decline in recent years, some to the level they are listed under the Federal Endangered Species Act. During recent decades, KRFC have typically comprised our healthiest fishery, providing opportunity to meet subsistence and ceremonial needs, and some level of economic opportunity. Unfortunately, during the past five years we’ve experienced an alarming decline in KRFC abundance, to the point that we completely closed our subsistence gill net fishery during the fall of 2017, and have severely constrained our fishery in other years.

Last year, we geared up for a near average return and modest commercial fishing opportunity after several years of little to no fishing opportunities due to low runs, only to have the river run return at approximately 38% of the projected abundance. The age-4 ocean abundance forecast (the driver of our net fishery) was 6.2 times greater than the estimated actual ocean abundance in 2019. We are concerned that KRFC are following the downward trajectory of other Klamath Basin stocks. In light of the recent status of KRFC, combined with other factors discussed below, we believe a precautionary approach is warranted while managing the harvest of KRFC during 2020.

Factors PFMC Shall Consider Prior to Implementing De Minimis Fisheries

As you are aware, fishing below the MSY value for KRFC requires fishing on the *de minimis* portion of the harvest control rule. Per the FMP (2016)¹, there are circumstances the PFMC shall consider prior to implementing *de minimis* fisheries. The circumstances identified in the FMP that are most relevant to KRFC this year include:

- Spawner abundance levels in recent years;
- Whether the stock is currently in an overfished status;
- Indicators of marine and freshwater conditions;
- Other considerations as appropriate.

Spawner Abundance Levels

Natural adult spawner abundance for KRFC during four of the past five years has been amongst the lowest on record. The average for the period from 2015 to 2019 has been approximately 26,600 adult natural spawners, well below MSY(40,700 adults) and the Minimum Stock Size Threshold (MSST) value of 30,525 natural adult spawners. The average during three of the lowest recent years (2016, 2017, and 2019) is only 17,565 fish. These levels are far below what we consider necessary to sustain the long-term viability of this stock.

Whether the Stock is Currently in an Overfished Status

As you are aware, KRFC met the criteria for being overfished in 2018, due to the geometric mean of KRFC natural adult abundance for three consecutive years being below the MSST value (30,525); the geometric mean of KRFC abundance from 2015 to 2017 was 19,358 adult natural spawners. Given the low abundance in 2019 of 20,245 adult natural adult spawners, there is no indication the stock will be declassified from being overfished any time soon.

Indicators of Marine and Freshwater Conditions

As noted in the California Current Ecosystem Assessment² report, there was evidence of unfavorable ocean conditions off of Central and Northern California in 2019. In particular, krill densities were very low in this area and juvenile rockfish, a key forage group in this region, had

¹ Pacific Coast Salmon Fishery Management Plan through Amendment 19, For Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California as Revised through Amendment 19 (Effective March 2016). (page # 31)

² California Current Integrated Ecosystem Assessment (CCIEA), California Current Ecosystem Assessment Report, 2020. *A report of the NOAA CCIEA Team to the Pacific Fishery Management Council, March 5, 2020.*

low abundance. Furthermore, sea surface temperatures were substantially warmer than normal during the late-spring through fall of 2019, creating a marine heat wave similar in many respects to “the Blob” of 2013 -2016. Analysis conducted by Yurok staff regarding age composition of the 2019 KRFC run indicated that known age hatchery fish (coded wire tagged) were extremely small relative to prior years, indicating poor feeding conditions for these fish while in the ocean. The age-3, age-4, and age-5 cohorts of KRFC projected to return in 2020 were exposed to these same, apparently poor, ocean conditions during 2019.

Other Considerations as Appropriate

Another factor that warrants consideration while establishing fisheries for KRFC during 2020 is the inaccuracy of the age-4 predictor during 2019. Based on an incomplete cohort reconstruction³, it appears the projection during 2019 was for 6.2 times more age-4 fish to be in the ocean than were actually there; this projection missed the mark by more than two times its previous worst performance since 1985.

Another factor the PFMC should consider is that the age-4 ocean harvest rate on KRFC has been at least double its pre-season projection during each of the past two years; in 2018 an age-4 ocean harvest rate of 0.12 was targeted, yet the post-season estimate was 0.24 and in 2019 an age-4 ocean harvest rate of 0.16 was targeted, yet the post-season estimate was 0.34. Whether this was due to anomalous ocean conditions and a resultant redistribution of fish, a shift in effort, or other factors is not known, however this high age-4 harvest rate in recent years relative to the intended harvest rate should be considered by the PFMC while establishing 2020 salmon seasons.

Summary

In light of the extremely low abundance that KRFC have experienced in recent years, along with other factors mentioned above, the Yurok Tribe strongly urges the PFMC to adopt the management objective for KRFC contained in Alternative 3 that is currently out for public review⁴. We believe that a precautionary approach, such as managing for MSY, should be implemented for KRFC during 2020. If you have any questions or would like to discuss, please don't hesitate to contact myself or Dave Hillemeier (Fisheries Director) at the above address.

Sincerely,



Joseph L. James, Chairman

³ Pacific Fishery Management Council. 2020. *Preseason Report I: Stock Abundance Analysis and Environmental Assessment Part 1 for 2020 Ocean Salmon Fishery Regulations*. (Document prepared for the Council and its advisory entities.) Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, Oregon 97220-1384.

⁴ Pacific Fishery Management Council. 2020. *Preseason Report II: Proposed Alternatives and Environmental Assessment - Part 2 for 2020 Ocean Salmon Fishery Regulations*. (Document prepared for the Council and its advisory entities.) Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, Oregon 97220-1384.