

SALMON ADVISORY SUBPANEL REPORT ON
SOUTHERN RESIDENT KILLER WHALE ENDANGERED SPECIES ACT
CONSULTATION – FINAL ACTION

The Salmon Advisory Subpanel (SAS) was provided an overview of the Southern Resident Killer Whale (SRKW) Workgroup's (Workgroup) reports for this agenda item by the Workgroup's co-chair, Mr. Jeromy Jording. The SAS appreciates the Workgroup's hard work and time spent on first developing a risk assessment and now a range of alternatives for Council consideration.

The SAS understands that SRKWs are affected by multiple environmental pressures, with availability of prey being one of those factors. Although noise pollution and toxins are also major factors effecting the whales, the Workgroup was tasked with focusing only on the effects of Council-area fisheries on the abundance of Chinook, the primary prey of SRKWs. The SAS feels strongly that increased production of salmon at Federal, state, and tribal hatchery facilities is the most dependable tool available to increase the prey base for the whales.

Following lengthy discussions, the SAS continues to recommend the adoption of Alternative 3.1.1: No Action – Status Quo Fishery Management Plan implementation. The SAS agrees with the Workgroup report outlining the weak stock management requirements already imbedded in the directed fishery harvest process and the SAS would emphasize the uncertainties regarding the effectiveness of the action alternatives in achieving something better for the whales. While there are uncertainties about the outcomes of implementing the other Alternatives, there is no uncertainty as to the impact of those actions on fishermen and coastal communities. Reduced opportunities, shortened seasons, and severe financial impacts will have very real consequences for the industry with only speculative benefit for the SRKW population. The SAS feels that eliminating fishing in April and May removes the most lucrative fishing period and the strongest markets for troll-caught chinook salmon and is an unnecessary burden to place on the fishing community. The SAS would note that reduced ocean abundance forecasts for salmon have historically resulted in proportionate reductions in the allowable salmon catch and further that in-season management adjustments are commonly used to address real-time fisheries performance to meet management objectives. Annual scientifically-developed ocean salmon abundance estimates coupled with the management decisions by the Council, is a much more fluid and dynamic approach to dealing with the requirements of providing sufficient forage for SRKW, and balances the social and economic needs of fishermen and coastal communities and is responsive to rapidly changing conditions.

Should the Council consider an action alternative rather than status quo, the SAS feels the least restrictive is warranted until more contemporary data are collected, until other means of increasing the prey base such as increased hatchery production are implemented, and until other factors effecting SRKW health are addressed. Due to the lack of significant relationships between salmon abundance and SRKW demographics and health, the SAS feels that that a lower trigger threshold value is justified. The SAS would propose for consideration a trigger value of 957,330 based on the arithmetic mean of pre-season abundances north of Cape Falcon in timestep 1 from 1994, 1995, and 1996, recognizing the importance of using a suite of low abundance years in succession when evaluating the lag survival of SRKWs. The SAS also notes that this particular set of years coincides

with a decline in the whale population ([Figure 3-3, page 35, Agenda Item F.2.a, Supplemental NMFS Report 1](#)) leading the SAS to believe that during times such as these with lower levels of Chinook abundance, a fishery management response may benefit the whales. The SAS believes a trigger level of 957,330 finds a balance between providing opportunity to the fleet in years of low abundance while potentially benefiting the forage needs of SRKW. The decrease in the trigger threshold value from Alternative 2 of 966,000 down to 957,330 could prove to be very impactful to the survival of individual fishing vessels and be able to maintain SRKW health in years of low abundance.

Although the benefit to SRKW resulting from the proposed management responses is difficult to quantify, the SAS, out of an abundance of caution for SRKW conservation, would prefer some of the management responses listed in Alternative 2, including:

- 1.a Further limit NOF non-treaty Chinook salmon quotas
- 2.a Attain NOF non-treaty quota incrementally over time (50/50)
- 3.a Closure of Columbia River Control Zone including spatial expansion from January 1 through June 15
- 3.b Closure of Grays Harbor Control Zone including temporal expansion adjustments
- 5.a Delay opening Oregon SOF Troll until April 1
- 6.a Close California Klamath Management Zone and Monterey areas October 1 through March 31
- 6.b Close Klamath River Control Zone including expansion

The SAS opposes the implementation of management responses 4A (a delay of North of Falcon non-treaty fisheries until June 1), 4B (a delay of North of Falcon non-treaty fisheries until June 15), and 5C (a delay of non-treaty fisheries between Cape Falcon and Cape Meares until June 1). These very restrictive responses place a heavy burden on the fleets because they impose time and area closures at time of the year with the best market conditions for the commercial sector. The SAS would prefer to limit the spring quota over time according to a 50/50 split to allow limited springtime access to markets while removing less forage base than in years past. These low abundance years would be lean economic years for the fleets, and this early market opportunity and corresponding increased ex-vessel values for Chinook in this period would help keep small family-owned businesses and supporting industries afloat.

SAS also supports recommendations 2 and 3 from [Agenda Item F.2.a, Workgroup Report 1](#) regarding the reevaluation of conservation objectives for Klamath and Sacramento River fall Chinook and improvement to stock assessment analytic methods.

The SAS does not support the method of using a running 2-year geometric mean to determine if the current abundance falls below the set threshold. Instead, the SAS sees the value in using a single year's preseason timestep 1 abundance in relation to the threshold because the single year method is more reactive and quicker to respond to changes in Chinook abundance.

The SAS also does not support incorporating forecast error into the preseason time step one abundance values as supported in Agenda Item F.2.a, Supplemental NMFS Report 1, which states on page 19 that “ since we are comparing the threshold to postseason estimates of abundance (as

opposed to preseason estimates), there is no need to apply the forecast error adjustment to the threshold.”

SAS would like to recognize the many years that the Cape Flattery control zone has been in effect which has provided a benefit to the killer whales in a known feeding hotspot and restricted fishing in a large portion of very productive fishing ground.

Due to the new management strategies, assumptions, and uncertainties in the existing analyses, the SAS further recommends that the Council consider adding the SRKW threshold and response analysis into the annual consideration of the Model Evaluation Workgroup to evaluate the accuracy of the Shelton distribution model, errors in timestep 1 forecasts, and any modeling bias that may lead to the benefit of the whales at the cost of restrictive fishery regulations placed on fisherman and coastal communities.

In conclusion, the SAS continues to recommend Council adoption of Alternative 3.1.1: No Action – Status Quo Fishery Management Plan implementation because the existing plan is already well suited to reducing fishing opportunity at low salmon abundance and the beneficial relationship between the proposed management responses and SRKW health is uncertain, but they come with a high cost to salmon fisheries. Should the Council decide to move ahead with an action alternative to implement a Chinook abundance trigger below which fishery management actions are taken, please strongly consider the SAS proposed abundance trigger and avoid the unnecessarily restrictive responses noted above.

PFMC
11/12/20