

**HOOPA VALLEY TRIBAL COMMENTS ON
F.3.a- Southern Oregon/Northern California Coast Coho Endangered Species Act
Consultation-Reports and Comments of Management Entities and Advisory Bodies**

The Hoopa Valley Tribe (Tribe) thanks the PFMC (Council) for this opportunity to comment on the fishery harvest control rule (HCR) alternatives put forth as part of the Southern Oregon/Northern California Coast (SONCC) Coho ESA Consultation. Since time immemorial the Tribe has relied upon a bountiful fishery resource to provide for the sustenance of its people. The fishery was year-round with successive species and runs within species dominating our harvest at any month of the year. Progressively, the Tribe lost access to its fishery, largely on account of anthropogenic causes introduced by development of water and mineral resources by European settlers. Today, as we seek to find a balance between dwindling natural resources and preservation of our culture, the Tribe must adapt its fishery.

In recent years, the Tribe has been exploring the use of traditional fishing techniques (e.g., fish weirs) to augment our individual tribal member fishery (ITMF) in a manner which both promotes the conservation of ESA listed stocks and increases tribal access to robust runs of hatchery produced salmon. Our selective harvest weir is operated in such a way that protected, naturally produced Coho are allowed to proceed up-river to the spawning grounds with minimal handling while those produced by Trinity River Hatchery (TRH) for mitigation purposes are retained for distribution to tribal members. This reliance on traditional fishing technology, combined with the Tribe's conservation based harvesting practices and insistence for adequate hatchery mitigation, is how the Tribe must attempt to protect its fishing-based culture in these modern times of diminishing abundances of naturally produced anadromous fish and degradation of traditional fishing sites.

Further adapting our fisheries in response to the emergence of a control rule (CR) for SONCC Coho should balance the need for conservation and preserving our traditional way of life. In review of the Risk Assessment (RA) report, we were disappointed with the Council's action in June to limit the field of CRs to solely fixed exploitation rates (ERs). The Tribe had instead

advocated that the Council retain some variable-ER CRs and a matrix approach which would provide better context for evaluating potential CRs. Additionally, given the Tribe's interest in both Coho conservation and perpetuation of dependent fisheries, we had advocated for development of run-size forecasting to anticipate annual harvest management affecting specific stocks or stock aggregates. Here again our interest was preempted citing inadequate data or opportunity to gather appropriate data into the future. HVT invites other Klamath-Trinity basin fishery co-managers to continue work to improve scientific methods to manage ESA listed SONCC coho salmon. To that end, DOC and PFMC are obligated to use the best available science to manage fish species under the Federal government's duty to protect tribal trust fishery resources.

In the interest of preserving our Coho dependent fisheries, we have reviewed the limited alternatives in the context of the past and expected breadth of our fishery as well as advancing conservation and ultimately recovery of SONCC Coho. To this end, a CR with an ER range from 16% to 18% (CRs 6, 7 and 8) appears to adequately accommodate the future expected conduct of our fishery while minimizing the risk of extinction in response to fishery ER across the stock aggregates presently modeled in the RA.

It is notable that in the case of the Trinity River (and Bogus Creek) population aggregate, the risk of extinction is near 100% on the 100-year horizon even with fishery exploitation at or near zero (see Figure 36 of RA). As discussed in NMFS' 2014 recovery plan for SONCC Coho, stresses and threats are more likely associated with limited habitat availability than fishing pressure which was greatly reduced post the 1997 ESA listing of SONCC Coho. Similarly, the RA observes that small and/or unproductive populations are at high risk regardless of ER due to either lower productivity and/or capacity. Persistence of these populations into the future is largely dependent upon factors other than fishing. Hence, while fisheries will likely continue to be significantly constrained, more attention needs to be directed at restoring habitat and improving hatchery management to increase reproductive success of remaining natural Coho populations.

Finally, the Tribe strongly supports the RA's recommendations with regard to pre-season compilation of data necessary to anticipate management response and the need to obtain more contemporary information on SONCC Coho contributions to marine fisheries. The near-term approach for anticipating terminal fishery harvest impacts using a three-year rolling average of past year's performance also appears to be a suitable surrogate to inform the Council's management process in the absence of more robust forecast methodologies. In any case, a consortium of knowledgeable co-managers and technical representatives should be formulated as implementation of a SONCC CR is realized.