

**HOOPA VALLEY TRIBE'S COMMENTS ON  
F.3.a- Southern Oregon/Northern California Coast Coho Endangered Species Act Harvest  
Control Rule – Final Action**

The Hoopa Valley Tribe (HVT) thanks the PFMC (Council) for this opportunity to comment once again on the harvest control rule (HCR) alternatives under consideration for the ESA listed Southern Oregon/Northern California Coast (SONCC) Coho Salmon. HVT acknowledges the efforts of the Ad-Hoc SONCC Coho Salmon Technical Workgroup, the combined experience and expertise of its members, and their steadfast effort to respond to Council guidance.

As reported in September, HVT reiterates its concern over the status and outlook of all fish populations, most especially those of the Klamath-Trinity River upon which we have relied since time immemorial. As such, we continue to seek a balance between the conservation of dwindling natural resources and the preservation of our culture. The primacy and reserved nature of our fishing rights were embraced by the Joint Secretarial Order 3206 (1997) which gave deference to Tribal management plans when managing ESA listed fish species. Accordingly, HVT continues to advocate for an HCR which would allow maximum flexibility and deference to dependent Tribal fisheries while conserving SONCC Coho populations. To this end, we recommend that the Council choose a preferred alternative that has an overall exploitation rate (ER) of no less than 16% (HCR #6). Based upon the analyses contained within the Workgroup's draft report the HVT believes a fixed HCR with an ER of at least 16% would strike the best balance between conserving the SONCC Coho ESU and preserving essential Klamath-Trinity fisheries.

HVT recognizes that in the absence of better information, NOAA Fisheries expectations may be for HCRs at lower levels of exploitation to minimize the risk of extinction. We are hopeful that with time and a renewed commitment to gathering additional information, a better understanding of the risk profiles provided in the Risk Assessment (RA) will emerge. A highlight of the RA was a good summarization of the FRAM used for anticipating and assessing post-season SONCC Coho impacts in marine fisheries. What is clear is that this approach relies heavily upon historic data and assumptions about the conduct of current Council managed fisheries to quantify those

impacts. We are hopeful that the use of FRAM may be enhanced by access to more contemporary data and advocate for significantly increased monitoring efforts to facilitate this. For example, HVT has long advocated for 100% coded-wire-tagging of all Coho produced at Trinity River Hatchery (TRH) which, in conjunction with at sea observer sampling and monitoring of any Coho retention fisheries, would complement historic data with respect to TRH Coho contributions to contemporary fisheries.

Meanwhile, information on only six population aggregates within the 40 SONCC Coho populations was sufficiently developed to inform the HCR process. While we have no direct oversight over the monitoring of other populations contributing to the SONCC Coho ESU, it is apparent that movement towards more management flexibility while addressing risk will require greater information on the performance of these populations. Regrettably, the Workgroup concluded that even within the six indicator population groupings evaluated in the RA, pre-season abundance forecasts were largely out of reach. With respect to the Klamath and Trinity populations, more could be done to develop abundance forecasts including the potential for implying natural Coho salmon abundances using more abundant hatchery surrogates. An investment by federal, state, and tribal agencies to advance this effort shall be an important first step in promoting management flexibility through abundance forecasting.

In summary, it is the recommendation of the Hoopa Valley Tribe that an HCR of no less than 16% total ER be chosen by the Council at this time and that significant increases be made in the effort to monitor and evaluate SONCC Coho populations so that future decisions such as these can be better informed. Preserving our way of life for our future generations is first and foremost tied to the continued existence of the fish that have provided sustenance to our Tribe since time immemorial. The Tribe expects to first discuss ramifications of the Council's recommendation with senior NMFS representatives, but we are always prepared to meet with appropriate managers as necessary to identify the path forward with implementation of the SONCC Coho HCR. We again thank the Council for its consideration of our perspectives and eagerly await your decision.

Agenda Item F.3.a  
Supplemental Tribal Comments of Hoopa Valley Tribe  
November 2021