HOOPA VALLEY TRIBAL COMMENTS ON

G.5.b Salmon Management, Klamath River Fall Chinook Workgroup Progress Report, Reports and Comments of Management Entities and Advisory Bodies

The Hoopa Valley Tribe (Tribe) appreciates the opportunity to comment on the Klamath River Fall Chinook (KRFC) Ad-Hoc Workgroup (Workgroup) Progress Report. Overall, the Tribe expresses dissatisfaction with the progress made by the Workgroup while acknowledging extenuating circumstances which may have contributed to this situation. Throughout the Workgroup process, the Tribe recognized the Council's priority for interim management measures for KRFC in the post-dam removal era while simultaneously pursuing the broader objective of promoting "dependent tribal and non-tribal fisheries" as required by the amended 1984 Trinity River Fish & Wildlife Management Act (PL 104-143). We believe these two objectives are not mutually exclusive and for this reason have strongly advocated that a sub-basin management overlay be associated with any Council adopted interim management action.

As this Council is aware, the Tribe has a long history of engaging as co-manager in all potential actions which could affect access to our federally reserved fishing rights. The Tribe's existence is premised upon exercising its reserved fishing rights as they affect the future health and wellbeing of our People! Thus, our technical and policy representatives have participated in every Workgroup meeting since its formation in 2023. We have committed to the Workgroup's charge of exploring methods of added conservatism for KRFC while seeking to avoid unnecessary restrictions upon fisheries accessing Trinity River fall Chinook. The confluence of the Trinity River and approximate boundary of our Tribal reservation is only 40 miles upstream on Klamath River from the Pacific Ocean. An additional 150 miles upstream separate the Trinity River confluence with the Klamath River from the first of four dams recently removed in the upper-Klamath River. For two decades, the Tribe anticipated this need to protect fishery access to viable Trinity River salmon populations as negotiations over Klamath Dams removal matured and the uncertainties with salmon reintroduction loomed.

Unfortunately, given staffing losses, the Workgroup was unable to further develop interim management approaches as directed by the Council 12 months ago leaving only the buffered HCR approach as a viable conservation tool. However, as further directed by the Council, the

Workgroup's Report presents a workplan for advancing the sub-basin management alternative including a prospective completion timeline with model validation steps.

The sub-basin concept was initiated as a companion to any interim management approach intended to satisfy Workgroup's Terms of Reference. For example, the sub-basin overlay could complement the buffered HCR approach for upper-Klamath to target relief to the dam removal area while avoiding unnecessary restrictions on fisheries accessing Trinity River fall Chinook which do not migrate to the newly accessible habitats. By contrast, restrictions imposed on KRFC through the 20% buffered HCR approach employed in 2024, unnecessarily conserved Trinity River fall Chinook at the expense of dependent fisheries.

The removal of the lower four dams of the upper-Klamath River will reestablish anadromy to portions of the Klamath which have not seen salmon in over 100 years. Salmon reintroduction will take time and added conservatism may be warranted. Meanwhile, the Trinity River has been the focus of significant hatchery mitigation (2.9M fall Chinook annually) coupled with a major habitat restoration effort to address the effects of Trinity Dam (constructed in 1963). The Trinity River Restoration Program, funded by US Bureau of Reclamation, has invested over $200M to restore natural anadromous fish habitat since the Trinity Record of Decision (ROD) executed in 2000 by the Secretary of the Interior in concurrence with the Tribe. Among the congressional mandates for this program were the restoration of tribal and non-tribal fisheries to pre-dam levels (Public Law 102-575, Title 34). The Trinity River is the largest Klamath tributary and annually contributes 30-40% of the overall KRFC accessed in Council managed fisheries. Harmonizing the inter-basin objectives of Klamath and Trinity rivers with the broader management responsibilities of the Council would be an added value for pursuing sub-basin fishery management.

In closing, the Tribe again thanks the Council for its attention and is hopeful that staffing within co-manager agencies will be restored such that this Workgroup's effort may proceed. Application of interim conservation measures for the Klamath Dams removal habitats should be neutral with respect to non-contributing stocks such as Trinity River fall Chinook. While a standalone sub-basin management approach would require several generations of fall Chinook spawning to adequately prepare, a more near-term application of a sub-basin overlay is

conceivable and should be evaluated in context of any future interim management actions targeting upper Klamath River populations. As a reserved rights holder to the Klamath-Trinity fisheries, the Tribe will continue work in collaboration with co-managers and this Council while conducting its fishery under the authority of our Tribal Council.