

Final Minutes
Klamath Fishery Management Council
October 7-8, 1998
Smith River, California
Meeting #54

2:00 p.m. October 7, 1998

Members present:

Dave Bitts	California Commercial Salmon Fishing Industry
Virginia Bostwick	California Inriver Sport Fishing Community
L.B. Boydston	California Department of Fish and Game
Troy Fletcher	Non-Hoopa Indians Residing in the Klamath Conservation Area
Paul Kirk	California Offshore Recreational Fishing Industry
Jim Lone	Pacific Fishery Management Council
Don McIsaac	Oregon Department of Fish and Wildlife
Mike Orcutt	Hoopa Valley Tribe (for Pliny McCovey Sr.)
Jennifer Silveira	Department of the Interior (for Ron Iverson)
Dan Viele	National Marine Fisheries Service
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Other speakers: (see Attachment 1).

McIsaac: I convene the 54th meeting of the Klamath Fishery Management Council (KFMC). Note that Paul Kirk is not present. He called and will be arriving in about one hour.

Agendum #1. Review and approve agenda.

Silveira: I request to add an item on the budget for the Klamath River Fish and Wildlife Office (FWO).

McIsaac: Let's address that under agendum #6.

Agendum #2. Review background materials and correspondence. (See Attachment 2).

Agendum #3. Adopt minutes of meetings held in February, March, and April, 1998.

Wilkinson: **I move to approve the minutes as presented to us.**

Motion passes unanimously.

Agendum #4. Report on appointment/ reappointment of members.

McIsaac: I have here a letter (Handout A) from Rod McInnis withdrawing as the National Marine Fisheries Service (NMFS) Representative to the KFMC, and I have here, (Handout B) a letter from Dr. William Hogarth appointing Mr. Daniel Viele to replace Rod. Welcome Dan. I suggest we write a letter to Rod McInnis to congratulate him and express our appreciation for his years of serving this council. Next, I have a letter from Larry Six appointing Mr. Jim Lone from the Pacific Fishery Management Council (PFMC) as the PFMC's representative to this Council replacing Nat Bingham (Handout C). Welcome Jim.

Silveira: It is time for all members to be reappointed as their terms are expiring. Staff has sent letters to the responsible parties reminding them that they need to reappoint or appoint new members. It would be helpful if

the members would inquire as to their reappointment to facilitate the process.

McIssac: Let's switch agenda 5 and 6.

Agendum #6. Klamath Task Force Update.

Wilkinson: The Technical Work Group (TWG) of the Klamath River Basin Fisheries Restoration Task Force (TF) is not as concerned with harvest monitoring as we are. We have no representation on the TWG, so monitoring projects come out ranked with a lower priority than the funding cutoff. Bernice Sullivan is not here today, but she was working on compiling monitoring needs. She is not done with that effort. There is not adequate funding from anyone to do the required monitoring. I led a motion to put a representative on the TWG from this Council (Handout D).

Fletcher: Every meeting is about budget issues. Budget shortfalls will compromise the ability of the KFMC to do its work and agencies to collect data. This representative to the TWG would be specifically directed by us to look out for monitoring in the budget ranking process. In general, the TF doesn't appreciate how harvest monitoring fits into a common objective with restoration. Bernice is working on the list of needed projects, but this will not include the money required to do them. We can take that list to funding agencies. Due to the Trinity project funding losses, we may not be able to work on our age composition project this year. This is a serious concern to the Technical Advisory Team (TAT). We are beginning to realize that we will have to stop without more funding. This is a general comment: the TF is more polarized than ever. Regarding Agendum 19 on today's agenda, the Shasta River issue, we made a motion asking the TF to look further into habitat problems on the Shasta River. The Siskiyou County representative on the TF voted that motion down when we submitted it to the TF. This is a bad precedent for them not to respond to a KFMC request. We should work cooperatively.

Wilkinson: It is the TF protocol that no member can appoint themselves to the TWG. It's critical that we have a forceful member to speak to KFMC issues.

McIssac: Jennifer, you had wanted to say something about the budget.

Silveira: Of the one million dollars that comes to the Klamath program each year, \$80,000 goes to the Fish and Wildlife Service Regional Office in Portland and \$920,000 comes to the field. Of that money, \$321,000 goes to administration to put on these meetings and administer the TF funded projects, and the rest of the money goes to on-the-ground projects. This last year the Klamath River FWO budget left us barely in the black. This fiscal year we have gone into the red, because costs keep going up. Travel costs go up, and the number of meetings has been going up. Particularly TWG meetings. This year we had about 60 meeting days in the year. So Ron Iverson wanted me to ask you if you had some ideas on how we might cut back on costs. Whether we should cut back on a meeting or cut short meetings. He was interested in your input.

McIssac: Can you speak to recent action taken by the TF to pursue additional funding strategies?

Silveira: No, I am afraid I can't. Perhaps Troy can.

Fletcher: Of the TF budget \$450,000 to \$500,000 goes to restoration projects. Then on top of that the flow study is funded. \$80,000 goes to Portland, and we feel that money would be better spent in the program on the ground. This is a hot issue. This year the TWG needed a note taker. Ron Iverson said it would cost \$30,000 to \$40,000 for their office to do that. We think it should take more like \$7,000 to \$9,000. We donated staff time for four months to do note taking. We think the FWS needs to loosen up that \$80,000, because the Klamath River Office does other things besides the Klamath River program.

Wilkinson: The flow study was approved, and that has taken an extraordinary number of TWG meetings. This year there should be less meetings.

Lone: Would you repeat those numbers for the budget?

Silveira: Of the one million dollars, \$80,000 goes to the regional office. That leaves \$920,000. That money comes to the Klamath River FWO, and \$321,000 of that goes to administering and supporting the two federal advisory committees and their technical groups, the TAT and the TWG. The remaining money goes to projects.

Fletcher: That money is further allocated by the TF taking off about \$100,000 for priority projects dividing the rest into 3 categories: 1) Restoration - \$200,000; 2) Sub-basin planning- about \$100,000; and 3) Research and monitoring type projects. That third category is where the real shortfall lies.

Bits: Just for a comparison, in the Sacramento Valley we have been seeing figures like 60 million dollars going to a temperature control device for Shasta Dam; 40 million dollars for a ozone water purifier for Coleman Fish Hatchery, and about 20 million for a canal screen. Something is out of whack here.

Wilkinson: To expect to achieve what we are attempting with a million dollars a year is ludicrous.

Silveira: Back to that \$80,000 and where it goes, our office carries out some other Fish and Wildlife Service (USFWS) activities: the president's Forest Plan. Ron Iverson's salary is paid for by funding from those activities, even though he is the project leader for the entire office and works on the Klamath Basin. So there is a tit for tat there. It is hard to separate the accounting on some of these things.

Orcutt: Trinity monitoring receives 1.2 million dollars a year. That is just for monitoring. This restoration program, when you look at the number of miles of river that it has to cover and the Endangered Species Act (ESA) issues, receives a pittance. There is a severe underage of funding. That is the main problem. We went through a monitoring exercise on the Trinity side, and you should do that here. Last summer at the Six Chair's meeting, the Bureau of Reclamation committed to find \$250,000 to add to the Klamath program. I never heard what happened to that. Let's come up with a list of priorities and go to the agencies. This has been going on for 2 years with no concrete results.

McIsaac: It looks like a motion has been made by the TF to appoint someone to represent the KFMC on the TWG. Shall we look at some names?

Fletcher: Can we consider a TAT member?

Wilkinson: I agree that it does not need to be a Council member, but the person that is chosen is critical. The TWG has a strenuous schedule. The person needs to apprise us of how the flow study will go, in addition to representing our interests to the TWG.

Fletcher: The TAT members are already very busy. What if we left it to the chair and the TAT who would show up to any particular meeting? That would reduce the burden on any one member.

Bits: So we would appoint someone from the TAT, and the TAT would decide who would attend any one meeting? I am concerned about a lack of continuity.

Wilkinson: I agree with Troy's idea. It is critical to have someone attend all the TWG meetings, but we can share it. I would like to hear what the TAT chair has to say.

Kautsky: What would be the role of this person? Would they be a liaison?

Wilkinson: Our issues need to be represented at the TWG meetings: at every meeting, and especially the prioritization meeting. Our priorities are falling to the bottom in the prioritization process. There is a under representation problem.

Kautsky: We have governmental and non-governmental members on the TAT. Sending a non-governmental member will just add to the program's budget. Several of the governmental agencies already have representatives on the TWG. I might suggest that the USFWS representative to the TAT is already acting as a liaison and is also a scientist and might be suitable.

Boydston: All the agencies here have representatives on the TWG. If the California Department of Fish and Game (CDFG) representative is not supporting monitoring, then I need to talk to them and tell them what the priorities should be.

Fletcher: We always talk with our TWG representative. Monitoring is just not a priority for most people in the TF. It would benefit us to help stack the deck in our favor.

Boydston: I'm not satisfied that will help. The TF has delegated too much authority to the TWG. The TWG needs new rules. Less than 50% of the money goes to habitat restoration. No wonder they are covetous of the dollars. I can sympathize with both sides. Maybe we need to have a joint meeting with the TF.

Fletcher: Let's keep this idea open.

Wilkinson: **I move to table the item.**

Fletcher: **I second.**

McIsaac: Why don't the TF members decide the funding priorities themselves?

Fletcher: With the consensus process, I can tell you it does not work.

Bitts: We need dedicated federal funds to be appropriated for Klamath monitoring. Nat knew how to go about doing that. We need to do it. I will try to seek an appropriation.

Boydston: We will be talking to the Pacific States Marine Fisheries Commission (PSMFC) and to Mike Spear and William Hogarth about getting a line item in somebody's budget for Klamath fishery monitoring. We need to get the cards and letters flowing.

McIsaac: **The motion was to keep this idea of appointing a KFMC representative to the TWG alive by tabling the idea. Call for the question.**

Motion passes unanimously.

McIsaac: Bernice Sullivan called me and told me that she had a conflict and wouldn't be here today. Would staff send a transcript of this discussion to her?

Orcutt: Bernice Sullivan is coordinator for the Klamath/Trinity Basin, appointed by virtue of the Trinity Act and the Hatfield legislation.

Break

Agendum #7. Report on PFMC's salmon actions taken since April, 1998.

McIsaac: As far as in season management north of Cape Falcon, the commercial troll fishery had a series of in-season modifications in May and June. In the end, the quota wasn't fully taken. For the north of Falcon coho recreational fishery, NMFS took a series of actions in August. This included the first ever selective fishery for unmarked coho. The final result was 14,900 fish out of a 15,000 fish quota taken. The Rogue River fishery was modified to allow 7 days a week fishing. It was a staggered fishery to prevent going over the quota. Only 100 chinook of a 1,400 quota were landed. At the Sacramento PFMC meeting, the amendment 13 final risk assessment was delayed until November to accommodate correcting modeling errors. The adoption of amendment 14, the public review draft, for the comprehensive salmon amendment, was delayed until November due to a variety of difficulties with these new guidelines. The council declined to do a hooking mortality review of PFMC fisheries at this time, and delayed that until the end of the year. They will ask the PSMFC to look into this.

Boydston: Regarding Salmon Plan Amendment 14: it still has not gone out to public review. There has been discussion on how to deal with over-fishing situations, such as when you deliberately go under your escapement goal. We agreed to have an option that a recommendation to go below the spawner floor requires NMFS to take an emergency action. That is basically the status quo. The part of the salmon plan that has really been taken to task is the essential fish habitat (EFH). For the ground fish plan, the council took comments on EFH separately from the discussion of the rest of the plan. I expect that scenario also for salmon in Portland. I think the risk assessment document was very good. Our TAT may want to look at it. It uses a Richer stock recruitment type model, where you plug in environmental variables. We will be having a scoping meeting on the hooking mortality. The question is: why are we using different hooking mortality rates up and down the coast? This gets into the whole bycatch issue -- the contact rates of sub-legals and out of season fish, which we must address under the Magnuson Act.

Lone: I chaired a portion of the last PFMC meeting that dealt with Salmon Plan Amendment 14. There was obviously a lot of work still to be done. At the next meeting in Portland, on Monday, the first week of November, John Coon will take any one who is interested through Amendment 14. Regarding hooking mortality, Doug McNair 5 years ago did the first study of that, off the coast of Washington. Since then approximately 12 new studies have been done up and down the coast bringing new information.

Fletcher: Regarding EFH, it lacks the authority we would like it to have, but it is still important. We hope the Council will hold strong to the intent of EFH. Many comments have been received from the Farm Bureau and others. I encourage you to keep pressure up to the PFMC and NMFS to include non-fishing impacts in EFH.

Agendum #8. Report on Trinity River Issues.

Orcutt: If Bernice were able to be here today, she would give you a different perspective, but I will give you an update from our perspective. The Trinity River Restoration Program expired on September 30, 1998. The Trinity River Task Force supported reauthorization. The Hoopa Tribe felt there was a federal obligation to remain in the watershed as long as the dam is there, as specified by the enabling legislation and the Central Valley Project Improvement Act (CVPIA). The Trinity River Task Force submitted their recommendation for reauthorization to Secretary Babbitt. We wondered: is there authority to implement the Trinity River Flow decision? In May the solicitor came out with an opinion that said yes, there is authority under the CVPIA. The problem is funding. Last year funding was 1 million dollars. In past years it was 5 to 6 million dollars per year. Interior was able to get 2 million dollars added back. Currently in the Water and Energy Appropriation there is 3 ½ million dollars for Trinity Restoration, plus 1 million dollars of 1998 carry over money. So now we are up to 4 ½ million, about 2 million less than fiscal year 1998. The appropriations bill has gone through Congress and gone

to President Clinton for signature. Regarding the flow decision, there have been many document delays to implementation. National Environmental Policy Act (NEPA) requirements are a year away from being completed. As a result of the coho listing, letters from William Hogarth, Roger Patterson, and Mike Spear say there will be Section 7 consultation on three levels: 1) appropriations for FY 1999; 2) what flow regime we will have in 1999; and 3) on the federal fish hatchery. Back in July, the Hoopa tribe filed a 60-day notice of intent to sue the Department of Interior and the Department of Commerce over the funding level, among other things.

Fletcher: The Yuroks are conducting projects affected by the sunset of the Trinity River Restoration Program. The CDFG also has several projects which may drop out with funding shortfalls. This is more bad news.

Orcutt: The Department of Interior Solicitor also clarified that the Secretary has the authority to re-charter the Trinity River Task Force. The previous Task Force expired on September 13. I assume that re-chartering will happen soon, so that the Technical Coordinating Committee can continue to work. One area of contention over the Solicitor's Opinion is whether, because the Acts pertain to activities associated with the operation of the dam, the South Fork of the Trinity and any other tributaries not directly influenced by the dam will fall out of the program. We feel that the 1995 and 1996 Acts both speak to those areas.

Fletcher: With ESA issues, the need for monitoring is increasing. We have had to limit the fishing of coho and perhaps soon steelhead. It's not fair that agencies are failing to fund monitoring.

McIsaac: Let's take up agenda 18 today, since we still have time after public comment.

Agendum #9. Public comment.

Jim Welter: This is an ongoing thing, lack of funding for monitoring. How far can you stretch a rubber band and still have any elasticity left? The Klamath Ocean Harvest Model (KOHM) is part of it. The time going into it is being cut back. You need a goal. This is like a soap opera. You miss it for a couple years and come back, and it's right here again. It is rather frustrating to see this concept go on and on and not get where it is trying to go. Does anyone have any ideas?

Fletcher: Do you want to be a TWG rep?

Bits: Do you have any influence with congressional representatives?

Welter: Which one? DeFasio? He didn't even know his district encompassed almost half of the Oregon coast until we pointed it out to him.

Bits: Away from this table, you and I are not constrained like Federal employees in talking to our congressional representatives.

Pierce: Regarding the \$80,000 mentioned earlier: I wonder when and if the KFMC ever wrote the Department of Interior a letter on this subject.

McIsaac: Is anyone aware of such a letter?

Fletcher: I don't recall. With the restructuring in USFWS, will the \$80,000 now go to the Sacramento office?

Pierce: I suggest getting it down on paper.

Wilkinson: Some of that \$80,000 was used in the past to give to the TF, but not recently. The TF has sent letters requesting that these funds be sought from elsewhere besides the restoration program. This is on the agenda for the up-coming TF meeting.

Fletcher: I will draft a letter tonight for your consideration.

McIsaac: Close public comment.

Agendum #18 Endangered Species Act status of coho, steelhead, and chinook in California and Oregon.

McIsaac: Let's have brief comments by those listed on the agenda, followed by discussion.

Viele: Last March, 7 Evolutionarily Significant Units (ESU's) of chinook were proposed for listing by NMFS. We solicited comments to address the listing proposals and the structure of the ESU's. With regard to the Upper Klamath and Trinity ESU's, many comments were received on the proposal to combine spring and fall chinook into a single ESE. That may have been due to a lack of genetic information, and there is work being done now to collect more information. Regarding the Southern Oregon-Northern California coastal ESU, there are questions regarding where to draw the line of the southern extent of the ESU: 1) Do we include streams with sporadic spawning or do we move the southern extent to the Mattole/Ten River area, where there are resident populations? 2) Should the ESU be split into two separate ESU's? 3) The spring and fall chinook are also lumped together in that ESU. NMFS is evaluating comments being received and must make a final decision on the listing in March of 1999. If there is substantial scientific disagreement, or if it appears that new information is coming, we can defer the listing decision for 6 months. On November 16, the Biological Review Team (BRT) will meet with co-managers. Then they will make a final recommendation. We strongly encourage participation at that meeting.

Boydston: Regarding CDFG comments to the BRT, see Handout E. (This handout was mislabeled Agendum #7; it should be Agendum #18). In this letter to Garth Griffin, we comment on the status review. We provided earlier input that wasn't used. Regarding including the San Joaquin chinook in the Central Valley ESU: it appears that the San Joaquin chinook drove the determination of the Central Valley ESU. NMFS needs to make this more of a public review process. It needs improvement. There is no recognition of the Trinity and Klamath projects in the status review. We invited NMFS to participate in the California Fish and Game Commission (the Commission) process for listing spring run chinook. We plan to attend the BRT meeting November 16-18, 1998, but first we will try to arrange a scoping meeting with the southwest region. We are concerned that Seattle is making all of the decisions. We want to see where we agree with the southwest region.

For steelhead, we now have a budget signed by the governor. Part of that budget is augmentation of the CDFG budget for steelhead monitoring (part of the Memorandum of Agreement (MOA) with the southwest region). Staff is putting that budget together now. We are preparing comments to the northwest region with regard to including hatcheries in the ESU's.

There is a cutthroat report out now. We are providing comments on that non-listing proposal. The Commission in late August accepted the CDFG recommendation to list the Central Valley spring chinook run as threatened under the California ESA. That was a well done report done by Inland Fisheries. We are struggling with implementing the California ESA provisions. Take requires a permitting process, and the first question is what to do with the South Delta pumps. The California Department of Water Resources operations come under the California ESA. There is a tough meeting coming up on that. Every diversion in the Central Valley could be affected. We are not funded to do this. I do not see how Fish and Game can handle the workload.

McIsaac: The Oregon Department of Fish and Wildlife (ODFW) will offer comments to the BRT, regarding four of the chinook ESU's. We will also be watching NMFS consideration of the CDFG's comments on the Sacramento ESU's. Regarding the Southern Oregon-Northern California ESU, we presented data to the BRT for separating that into two at the mouth of the Klamath River, based on life history, genetics, and geology. NMFS proposed to include the Deschutes River chinook with the Snake River, and list those as threatened. We do not feel that is justified. The Deschutes River should be separated and not listed. It has a very strong wild population. We will offer comments on the upper Willamette ESU and lower Columbia ESU. On the upper Willamette we will offer information on the strength of the wild population in the McKenzie River that was not considered. On the lower Columbia we will offer substantial information on the effect of large Federal hatchery releases on natural spawning. We recommend changing the proposed threatened listing to not warranted.

Regarding coho, after a judge's decision to over-rule the non listing of coho based on the Oregon plan, the Oregon coastal coho are now listed as threatened. The state of Oregon and the Federal Government are appealing that decision. Oregon is considering listing coho in the Clackamas and Sandy Rivers as threatened under the state ESA. A federal review found those were not genuine wild populations, but the State of Oregon disagrees.

Regarding steelhead: an ESA listing in the Columbia River came to a boil regarding fishing rights. In September it went to court. Judge Marsh ruled that fisheries could not proceed without a biological opinion. The biological opinion was prepared, and some fishing was allowed.

Fletcher: We concur with L.B. on separation of the spring and fall chinook in the Klamath Basin. We disagree with the boundary of the ESU on the lower Klamath at Weitchpec. Management would be made very complex for us with that. Our perspective on the ESA's Section 7 and 10 consultation processes is: we feel the tribes should participate with federal agencies under Section 7. There was a joint order from the Secretaries of the Department of Commerce and the Department of Interior allowing that tribes participate in these types of decisions. We say the Bureau of Reclamation should be held to ESA standards. NMFS recognizes this, but more work must be done. Non-fishery activities including dam operations must be included. Another area of concern is funding. Just attending ESA meetings, and preparing comments is getting to be a chore, not to mention developing management plans. Where are we going to get the money?

Regarding Habitat Conservation Plans (HCP's) and other planning efforts: under the Secretarial Order tribes are allowed to participate. We hope the microscope will be held to non-fishery activities like water diversion for agriculture and grazing. We hope we no longer see dried up river channels. NMFS has received warm and fuzzy feelings from Siskiyou County representatives, but we hope NMFS holds firm. Finally, the ESA has put us in a hard position telling our fishermen they cannot fish. I hope we can get past this in about 10 years.

Orcutt: I agree. Someone has to be responsible for this report card we see. The prognosis we see for tribal fishermen is sitting on the banks exercising nonexistent fishing rights. We are looking beyond recovery to there being meaningful fisheries for tribes. We submitted comments on the 4(d) rule. The final rule should be out in a couple months. We submitted that as long as the dam is there, which kills more fish than tribal fisheries combined, funding for monitoring and activities in the basin is critical.

Regarding steelhead: tribes were taken aback that they were not included in the state steelhead plan. That was a complete oversight.

Regarding chinook: we will attend the November 16 BRT meeting. We submitted comments on separating the races of fall and spring chinook. We hope the decision already hasn't been made.

Bits: Is the public invited to that meeting? Where can public comments be sent?

Viele: I don't know. It is supposed to be a co-managers meeting.

McIsaac: The meeting is in Seattle. The letter I saw invited co-managers, state agencies, and tribes. I don't know about written comments.

Viele: The comment period ended in June, but if comments were sent in, they would not be ignored.

Boydston: We hope that this is not already a done decision, but that the BRT is willing to consider changes.

Viele: They are seeking new information. There were criticisms of the BRT process - a lack of public and agency review. This is not a public relations effort.

Orcutt: Is the meeting specific to chinook?

Viele: Yes.

McIsaac: What is the situation with the Butte Creek Hatchery and the listing of the Central Valley fall chinook?

Boydston: The Butte Creek Hatchery is nonexistent. Our staff believes the San Joaquin should be considered as a separate ESU. The listing proposal appears to be driven by San Joaquin fall chinook, the weakest stock in the system. South Delta pumping is driving the status of this stock, so it is a double whammy.

Viele: Has there been any effort to list the San Joaquin stock under the California ESA?

Boydston: I'm not aware that we have received a petition to do that. A petition is what starts the process.

Orcutt: Don, can you elaborate on the Columbia River court decision you spoke of?

McIsaac: In US v. Oregon case area in the past, there has been agreement on fishing regimes, and the Federal Government has written biological opinions (BO's) to allow those to go on. This year steelhead were listed and the parties did not agree on a set of fishing regimes for the fall of 1998. The tribes and the USFWS and NMFS proposed fishing be allowed that impacted steelhead this fall without a biological opinion. The states disagreed, and it ended up in Judge Marsh's court. The tribes' perspective was that the 1855 treaty took precedent over the 1973 ESA. The states argued that the ESA took precedent and that take should not be allowed without a BO. The judge decided that a BO was needed. The proposed fishing arrangements were slightly modified, a BO was written, and some fishing was allowed by all groups.

RECESS

9 am. October 8, 1998

RECONVENE

McIsaac: Let's revisit the agenda. Are there additions or suggestions?

Bostwick: I want to reflect on yesterday's meeting. Years ago Cecil Andrus told the Hoopas "Why do you need more water? You have no fish." In 1974 a young biologist wrote a pamphlet called *What we must do for the Klamath now*. That was a young Mr. Boydston. We are missing the issue. The trawlers and ocean sport had their time on the water, but in-river users have had about the second lowest allocation they have had in this whole

process. Bob Fletcher said 1998 would probably be the last year with business as usual. If we haven't come up with solutions after all these years, then something is wrong. Someday the taxpayers will cut it off. What are we accomplishing here?

Orcutt: It may not appear we are making progress. The Mid-Program review should show what has been accomplished. I think we need to prioritize and then work together. I suggested to the TF that they form a legislative committee. The Hatfield legislation created coordinators, and we have the "increasing Chairs" group. Are these going anywhere? We need to have these groups help. Managers and habitat folks know what is needed. Various people have various influences with Congress. Let's all work together. Legislators often focus only on the negative.

Bitts: Virginia, I appreciate where your remarks are coming from. I see two things. One, is the continuation of business as usual in the watersheds. At the same time, I see an increasing level of concern. In certain watersheds, pots of money are coming together under the ESA. As a society, we need to make a decision whether we want to change to do what is needed to save the fish, or whether it's just too much trouble. I hope, I have to believe, the forces will move to the former.

Kirk: Virginia and I are neighbors. We are stuck in one place on the ground. We can't move like trawlers. I see it as a surviving mode. Once we were in a thriving mode, humans and fish. If we don't follow Dave's hope, in the north coast people are just surviving like the fish. Either we stop fishing for a decade and restore habitat, or we are stuck in survival mode, like our timber industry. It is hard to focus on 50 years down the road.

Bostwick: 99.9% of the time I'm an optimist. I'm not pointing fingers. The point you make about the timber industry is correct, but was that because of mismanagement? We have been at it 20 years; there is something missing. Is the issue the water, not the quality? There is a lot going on that we don't know.

Fletcher: Even people on the other side of the coin are frustrated. Tough decisions are required. We must hold politicians' and agencies' feet to the fire. We know we have priorities to protect fisheries. If we follow scientific information, there will be positive change, but we are trying to get people who don't want to to change. People inland know there is a problem with fish. We need to sit down with them and broker a deal that will make some local politician look good. Things will not change without controversy.

Wilkinson: Virginia's answers should be in the Mid Program review. Task 1.1 was "to evaluate the degree to which returns of natural anadromous fish stocks in the Klamath River have increased basin-wide and by sub-basin if possible." That was to be performed within 45 days of the award of contract, which was in February of 1998. Answers should also be in Task 1.2 "Assess whether the general goals of the plan have been met." This is not on our meeting agenda, and that's disturbing. It should be completed by our next agenda.

Bitts: There has been a major attitude change in the Sacramento Valley on the role of fish and water. I attended a meeting focusing on negotiations with PG&E on taking out obsolete dams on lower Battle Creek. Two players at that meeting were the Metropolitan Water District and the Central Valley Water Contractor's Association. These were formerly the fishermen's most bitter adversaries. The Municipal Water District said they lost the war 10 years ago on the environmental issues, and now they have a new board of directors that believes that doing good for the fish is good business. Now there are more and more cases when fishermen are working with these people. The Glenn-Colusa Irrigation District fired their attorneys and board of directors and got a new board of directors with a new attitude. I hope that this an indicator of what will happen coast wide.

McIsaac: Bob Fletcher's remarks on business as usual referred to ESA proposals. Dan, in February can you give a presentation on possible options under these possible ESA constraints?

Viele: By February, NMFS will attempt to provide the Council with a letter laying out jeopardy standards. I would be happy to present what I know at that time.

McIsaac: Back to our agenda.

Fletcher: I suggest we wrap up our meeting today.

Bitts: I agree. Can we be sure to get checked out in time?

Kirk: At the end our session I would like to comment on the five county effort to work with NMFS on a conservation recovery plan for coho salmon.

McIsaac: Chairman Kautsky is not here to address agendum #10. Let's skip to Scott Barrow and Agendum #12.

Agendum #12. Documentation of Megatable - Accounting of in river fishery.

Barrow: I have three handouts. Handout E is a presentation by Mark Zuspan to the TF and maybe to this Council several years ago. Handout G is titled Annual Report Trinity River Basin Salmon and Steelhead Monitoring Project. Handout H is title Final Performance Report - Methodology for the Klamath River. These are not documentation of the Megatable, but they show what information is available. There are other reports available. Now I will read from the TAT report (Handout I). The TAT is concerned that the methods used to drive estimates presented in the Megatable are not fully documented or understood. Data from the Megatable directly affects the accuracy of our annual ocean stock size prediction for fall chinook. The TAT recommends that a review of the 1997 Megatable be conducted with participation by the Megatable authors and data source agencies. The review should provide the TAT with better understanding as to the accuracy of the estimates and how best to incorporate the Megatable in our annual management process. We have been talking with the region about more involvement. There are reasons for discrepancies found between years in the Megatable: gaps in funding, or the time it takes to read scales, and we understand that. But we would like to be more involved, so we can understand better. For instance, the CDFG Region has asked Mike Rode to attend these KFMC meetings. We have been investigating the possibility of getting a representative from Region on the TAT.

Bitts: Do these three documents contain descriptions of the methodology used for the Megatable, so we should ignore the numbers and years but look at the methods?

Barrow: Yes. Bob McAllister is working on documentation on the Megatable and we can get our questions and concerns to him as he works on it.

Kirk: Regarding the second paragraph of Handout I, we need to know why a revision occurs in the jack counts. Is this affecting our predictor?

Barrow: The estimates in December are from the first scale readings. The revisions are from second and later reads. CDFG bends over backwards to get us preliminary numbers in December, but those are revised when the details of the data come out.

Boydston: That has happened over the years. It is a good idea to have more CDFG involvement in the TAT. If Scott would draft a letter to Don Koch from myself, then we will arrange for that to happen.

Bitts: Does that require a motion?

Boydston: I don't want an extra seat. They can share the seat. We don't need an extra vote.

McIsaac: O.K.

Kautsky: We really appreciate the use of data tabulated by the State of California. No other agency has stepped forward to do that. Note that some of the data in the Megatable comes from other agencies besides the state. We want to ask those agencies about that data.

Fletcher: There will be a state meeting on consistency in data collection in December, sometime. This could be a heads up for other agencies.

Agendum #10. Status of the KOHM.

Kautsky: The Klamath Ocean Harvest Model (KOHM) is a tool that has been used for several years by the TAT and the Council for estimating ocean impacts on Klamath fall chinook while meeting allocation and spawner escapement objectives. There are concerns about geographic cells of the model that we are trying to address in the so-called remodel of the KOHM. We started in on that one year ago. Let me read from Handout J. The TAT is concerned that project leads for the KOHM remodel have been transferred or otherwise reallocated to higher priority issues in their respective agencies. Accordingly, the new KOHM is not within reach for this management year. The current version of the KOHM will be used for the upcoming season.

Bits: Does this mean we lost the talents of Michael Mohr on this project?

Kautsky: The TAT blends governmental and non-governmental agencies. Michael Mohr of NMFS was the principle one with modeling expertise. He has some new assignments: spring run in the Sacramento River. Our other members haven't the skills to make that up. Michael assures us that there will be re-staffing in his lab that will hopefully give him assistance to allow us to complete this by next year.

Wilkinson: The evaluation of the remodel by hindcasting would take more time. How long? We would need it by next October.

Barrow: We would need it done by August to have the Salmon Technical Team (STT) and the Scientific and Statistical Committee (SCC) review it, and have public review in October.

McIsaac: If we were on schedule, the plan was to do it by August, have a public workshop in September at the PFMC, have the STT and SCC review it, and at the November meeting change the methodology for the spring.

Fletcher: Now are we faced again with adjustments in March and April?

Barrow: Like the 1.63 correction factor?

Fletcher: I was thinking of the KMZ recreational fishery. The more certain components of the model are adjusted, the less our comfort level with dropping the buffer for the KMZ sport fishery. I want everyone to know this is a concern for us ahead of time.

Barrow: Michael Mohr and I met in July. The KLAMSUM spreadsheet is the basis for all of this. I am working on splitting apart the commercial and sport in the base data. That will put us in a better position to answer some of these questions. We still don't have a replacement for Rich Dixon.

Boydston: We need to inform the PFMC ahead of time.

Motion: That we write a letter to the PFMC explaining that the KOHM model enhancements have

not been completed in time for 1999 management, and that we have concerns about various parameters and how the model is applied, and that we are taking a close look at the performance of the existing model for 1998 management, and we might recommend some model modification for the 1999 season.

Bits: Friendly amendment: That we say that every effort will be made by us to bring the existing model to be used for 1999 management into line with real world conditions as time permits.

Boydston: I suggest we cc this to Dr. Hogarth and Ms. Schafer to encourage them to provide personnel critical to getting the remodel done.

McIsaac: I think L.B.'s motion already implies the friendly amendment: that changes may be made. There is a trade off that must be made between new science and stability. After 1997, we decided for stability - no more changes without a proper review process. But the PFMC didn't quite go along with that last year. This motion alerts everyone to possible improvements.

Boydston: We will put together a draft for Council review.

McIsaac: Should this motion survive, a consent mail process would be used to approve a draft.

Wilkinson: I would like us to try to get it out today.

McIsaac: We could meet tomorrow.

Wilkinson: I hope that people don't show up tomorrow for the spring chinook agenda and find us not here.

Fletcher: Maybe Scott and Dave could work on a letter. I don't want any 11th hour changes to the model. If we can get information before February, O.K., but I'll start whining if we don't have it by March.

Kirk: When would the review of the model performance for the 1998 season be done?

Boydston: Scott, when are CWT estimates for the 1998 season available?

Barrow: Do you want to incorporate Oregon CWT's? Those are not available until early January. California CWT's should be done in late November or early December, so sometime in December.

Kirk: Would the recommended changes based on the review of the model performance in 1998 be ready by February?

Boydston: I think so. By the February meeting we should be able to see the estimates of Klamath impacts from the 1998 season. Between the February and March meetings, the TAT could compare it with the model output and recommend some changes.

Barrow: That is only two weeks.

McIsaac: With regard to the Oregon tags, last year our staff turnover held that up.

Steve King: We will make sure that doesn't happen again.

Orcutt: I'm concerned about how the Council becomes aware of these problems. How are we being notified of these in a timely fashion?

Kautsky: The TAT meets about four times a year. The sub committees meet or tele-conference more often. We informed the Council in late July or early August about this.

Viele: How many people in the TAT are actively involved in this project?

Kautsky: Two mainly: Scott Barrow and Michael Mohr, plus Dave Hillemeier and myself.

Viele: I am concerned that this is a Michael Mohr project and not a TAT project. It needs a blend of talents.

Kautsky: We discuss things together, but there is seed work that needs to be done back in the person's own lab, and that has fallen on Michael.

Viele: I can talk with him.

McIsaac: Our Oregon representative is keeping an eye on it and is interested. In this case, the transmission specialist has to do his job before the other mechanics can do theirs. The motion implies TAT work this year. Can Michael work on it?

Viele: I don't know how much enthusiasm he has for working on the old model.

Barrow: Michael said his new assistant to be hired could help.

Kirk: Of course I was disappointed about this, but I am happy to know about it now. I thank the TAT for coming forward early. I support this motion. This is a primary issue for our recreational fishery. Until we get the new KOHM, we can't get the comfort levels. Again, this year we completely under-fished. At least we have an honest picture of what we are facing going into this spring. I thought this was our number one priority, so let's not overload the TAT with other assignments.

Orcutt: I guess there was correspondence from the TAT to the Council on this that I didn't receive. I can get that from George. Is Michael Mohr not the representative for NMFS anymore?

Barrow: No, he still is the representative. I want to make it clear that I am also responsible for the remodel not being done. It is not just Michael.

Orcutt: I don't want to blame anyone person.

Barrow: He is willing, but spring run was more important at the time. He just had a full plate.

Fletcher: We need to accept some of the blame too, because we have put some lower priority assignments on the TAT.

McIsaac: Should this motion pass, we will follow the consent mail procedure.

Restates the motion.

Motion passes unanimously.

BREAK

McIsaac: Let's review adjourning early.

Fletcher: I would like to adjourn this evening if possible.

McIsaac: I think we can do this under the Federal guidelines. If that is not accurate, we will look to Jennifer Silveira for a solution. Let's proceed as judiciously as possible.

Agendum #11. Stock recruitment modeling.

Kautsky: For about two years the TAT has been working on modeling the stock recruitment relationship (SRR). For management we adopted a spawner floor for fall chinook naturals and we operate under harvest rate management to clear that floor every year or achieve some constant rate of harvest. In 1986 the idea was to let the escapement and fisheries fluctuate over time and evaluate the strength of the stock (the parental strength and the progeny) over time. Two years ago, we began an exercise to reevaluate the spawner floor. Let me read from Handout K. The TAT is concerned that the project lead for the stock recruit relationship project has been reallocated to higher priority issues in his respective agency. Accordingly, the SRR report is not completed to date. The principal investigator informs the TAT that his agency is adding new staff and that progress on the report will resume in the near future. Some progress has been made on the report since last reporting to the Council. One major effort has been a revision of the quick harvest rate model (QHRM). That is one component of what goes into the SRR model. A year and a half ago in Weaverville, we gave you a draft of the report. The member of the TAT that was working on that is no longer a member, but he is trying to complete it anyway. I have met with him, and we thought we would have it by this meeting.

Bitts: Is the SRR basically the relationship between the number of spawners and production of age 2 or age 3 fish from that number of spawners?

Kautsky: Yes. We assess the progeny at age 2.

McIsaac: Let's look at this again when we get to Agendum #25. Perhaps we need to assign this to a new lead or limit its scope. We had a SRR in the 1980's. We have been testing various spawner levels since then, and while it is nice to look into environmental variables and sub stocks, those get away from the original assignment.

Agendum #13. Public Comment.

Jim Welter: This KOHM discussion is interesting. For a lot of years we have been fixing it to run. You can change a head light or a muffler on a vehicle, but if you don't consistently keep it updated and running, eventually it won't run at all. We need it to function to do the job we need it to do. We are not getting there very fast. Everyone is getting shifted to do something else, or they are preoccupied. This should be a number one or number two priority, but it does not seem to be. As for the Megatables, they are report cards on the Klamath system. You are going to have changes in them; I understand that. I am disappointed in the KOHM, but let's don't rush just to get something out.

Ann Mullen: I am a graduate student at the University of California at Santa Cruz. My Ph.D. thesis will be looking at the KOHM and QHRM, as well as other models as tools in decision making. I'm specifically interested in how effort is characterized. I hope to look at what would happen using a different effort variable than simply boat days-whether a fleet breakdown would change what the model would look like. Fleet characterization data is not readily available to an independent researcher. Cindy Thompson at NMFS is interested in a fleet breakdown for other purposes and is helping me with that data problem. I hope to present

something to you in the future, and I want to thank those who have helped me, especially Michael Mohr, Michael Prager, and Scott Barrow.

McIsaac: We appreciate your interest. Feel free to attend a TAT meeting. They are open to the public.

Viele: Have you resolved the difficulty in obtaining data with Cindy?

Mullen: There are confidentiality issues. She may be able to help.

Viele: True; it depends on the resolution of the data. At issue is when you can get down to a level of detail where you can tell what a particular vessel is doing. We can't release that.

Mullen: The PSFMC can strip away the confidential data. I don't need that part.

Viele: The problem is, even when you strip the identification away, when there are only three boats in an area (like with the tuna fleet), it doesn't take much to figure out who they are. That may or may not be the case with salmon.

Bits: I would be happy to provide you with the fisherman's perspective on fleet issues.

Mullen: Thank you. That would be very helpful.

Agendum #14. Retrospective on 1998 season and discussion.

Bits: The troll season started May 1. Some of the fleet started south as far as Santa Barbara. Fish were smaller - running 15% lighter for their length than usual. They seem to be feeding well on anchovies and sardines. I did not observe krill in fish until the end of season. With the lower price and a small fleet and more sea lions than we have ever seen before, I think effort was down. Now boats are clumping together to fight off sea lions rather than spreading out. That is the only way you can operate now. In August and September, effort concentrated north of San Francisco and off Half Moon Bay. For the first time in many years, due to the poor market, we began selling to the public off of boats. As a result, the dock price from our regular buyers then rose 70 cents a pound. That was emotionally gratifying, to meet people who know the difference between ocean-caught and farmed fish. One season opened in Fort Bragg in September. Fishing was good for a week off Shelter Cove. Then it tapered off and was very low, so there was very low effort off Fort Bragg. In Eureka, the first half of September was very poor, and then it picked up. There were a maximum of 12 boats per day off Eureka in September. It was a mixture of mature smaller fish and feeder fish.

Bostwick: We got off to a less than desirable start with a misunderstanding with the California Fish and Game Commission. We got the Commission to agree that we should start our count when the Tribes did theirs. The fish were late, and although small, they were ripe. We saw a lot of fish under 24 inches that were not jacks. It was not a good year, but fun for those who caught.

Fletcher: About the smaller jacks: is that the kind of information the state goes back and adjusts for later in the Megatable?

Boydston: Mike Rode said some females showed up in the jacks. That will be factored in during the post-season process.

Rode: That changes the numbers later on.

Bitts: In the Bolinas fishery in August and September, we had a lot of those barely legal female fish that had ripe eggs.

McIsaac: At the start of the season, there was speculation on the effect of El Nino. Did you see evidence of that?

Bitts: We don't see the ones that don't survive, so it is hard to say. It wasn't hard to find fish, but it seemed they were small.

Bostwick: In 1983 we saw huge heads and long thin bodies. We did not see that this time. Fish were small, but in proportion. They looked healthy.

Bitts: Yes. I concur.

Kirk: We are not seeing albacore fish in September this year like last year. Dave, was this La Nina?

Bitts: I can't attribute causes. We saw abnormally high water temperatures in May and June with fish on the bottom when normally they would be on the top. In July, when we returned to the water, temperatures were abnormally cold. I metered 52 degrees to 53 degrees from the beach to 12 miles offshore. But at the same time off Bodega Bay, sport fishermen still saw blue fin tuna mixed with big squid and albacore not far off shore, about 20 miles. Last year we saw tuna 6 miles offshore mixed with salmon.

Boydston: I often judge a season by the controversy. This was the least controversial in a number of years. Maybe we are getting tired, but the process went smoothly. It started when Jerry Barnes came to the Commission meeting to explain the salmon process in November in Redding. That was a good start, and I recommend repeating it. Soon thereafter there were the in-river allocation issue hearings in Weaverville and Yreka. The Commission made their decision on the in-river allocation before the Council's meeting, so we could get planning early on. Not everyone was happy with the decision, but the Commission got a better understanding of the impact of their decisions on salmon management. At the PFMC, a new model was not put in place, but the old model's output seemed to be reasonably acceptable to the various fishing groups. We got through the KFMC and PFMC meetings fairly harmoniously. For the season itself, by the end of July it was clear that off central California our preseason prediction of catch was about 60% over what occurred. South of Horse Mountain, troll caught 250,000 fish and recreational caught 84,000 fish. By the end of July, the average fish caught in the commercial fishery was 7 ½ pounds. Only in 1983 were fish this small. El Nino did have an impact on size. In 1983, escapement wasn't that bad, but we shouldn't expect a very large Central Valley escapement this year. Poor weather affected recreational fishing in central California. The "first two fish" regulation in San Francisco and Bodega Bay was liked because of the pinniped problem.

McIsaac: What was the reaction to the circle hook regulation?

Boydston: We heard a lot of complaints, but they are generally being accepted as a conservation tool.

Fletcher: We also saw smaller fish in our fishery (see Handout L). It was similar to last year's run timing. For three years in a row we have had a late entrance of fall chinook into the estuary. We collaborated with CDFG on the cutoff for spring chinook. Our effort usually peaks in August, so late run timing affects catch. See the catch-per-unit-effort (CPUE) on the graph on the back of Handout L. This year's CPUE was down. We caught spring chinook. We had a 48 hour closure for coho constraints. We heard complaints from our fishermen that sea lions interactions continue, although not as bad as last year. I would offer to present the results of our pinniped study at our February KFMC meeting.

Bostwick: I have heard of one fisherman who lowered the mesh size on his net to target smaller fish. Do you have any restrictions on mesh size?

Fletcher: We have no restriction on mesh size. We have a restriction on net length.

Bostwick: When was the two day closure?

Fletcher: On September 29, the two day closure began. We rescinded an earlier 2 day closure for protecting early running stocks.

Bostwick: Are your fishermen allowed to use drift nets off the spit?

Fletcher: In the estuary there is a Monday 9 to 5 closure. There is the 2 day closure for coho. Drift netting is allowed, subject to in-season adjustments. The Tribal Council just adopted modified baseline harvest regulations yesterday that allowed drift netting.

Bostwick: That was an in-season action?

Fletcher: It was an in-season action, but the draft proposing it was already before the Tribal Council before the season started.

Boydston: Regarding coho, is retention allowed?

Fletcher: Yes, we have no catch and release. The Bureau of Indian Affairs (BIA) consulted on our coho Management Plan. They submitted the plan to NMFS. We looked at our impact on coho in the past and came up with a 2 day closure. Sometimes we have protection for other species.

Bitts: Does the coho run start when the fall chinook run ends?

Fletcher: Coho usually show up around September 23. They overlap with fall chinook.

Bitts: With drift netting, one end of the net is anchored and the other is drifting with the current. What is the advantage of drift netting over set nets?

Fletcher: They use them right at the spit. They don't let them drift in the current. They throw out a 15 to 20 foot net and walk along with it. That way they can beat the sea lions to the fish.

Wilkinson: Do you have statistics on losses to sea lions from nets?

Fletcher: We estimate an 8 % drop-out rate. We looked at sea lion bites. We cooperated with CDFG, who asked fishermen about the number of interactions with sea lions that they had that day. About 22 % of them had at least one.

Wilkinson: Is there gear damage?

Fletcher: Yes, gear losses and injuries when sea lions pull the nets in --cut fingers and the like.

Orcutt: In 1997, there was no Biological Opinion (BO) for the take of coho in the inCriver sport fishery, because there is non-retention of coho. Was there a BO in 1998?

Viele: In relation to hooking mortality, not to my knowledge.

McIsaac: Troy, is the season still underway?

Fletcher: Yes, 5 days a week, ending November 23 or 24.

McIsaac: Is the take of coho a numerical limit or a harvest rate?

Fletcher: We target a harvest rate. We are the only fishery that has had coho closures since 1992. We don't say that we are fully accountable to the ESA, but we submit to NMFS via the BIA what we are going to do as responsible management.

McIsaac: What is your coho harvest rate?

Fletcher: We have a target harvest rate of 8 to 10%. Our understanding is that the Secretarial Order allows deference to Tribal Management Plans under the ESA.

McIsaac: What was your spring chinook separation date? We have seen large numbers of spring chinook in the fall time frame.

Fletcher: It is August 19 or 20, based on CWT information, along with sport fishery information.

Bostwick: The Tribe designs their own fishery rules. Why did the coho Management Plan rules go through the BIA?

Fletcher: We use the BIA when we want to. They are the federal nexus. We read the order to read that that was appropriate.

Kirk: In the California recreational ocean fishery, we chased fish in and out of warm water. In the early season, the fish were out deep, and there was not a lot of catch. Then they moved to within 100 yards of the coast. They schooled around the Mad River for 2 weeks. The quality was not great until the second opening in July. By the third opening in August, fish were back out 3 to 4 miles off and very deep. For landings, there has been a down turn from 1996 through 1998. This year was 1/3 of last year, but effort was still as high. We had plenty of boats in Trinidad and activity in Eureka. The chasing of fish and the miserable weather early on were causes. The fishermen want to go back to a "first two fish rule" because of the weather issue. We have sea lions too. Would Don please characterize the Brookings fishery?

Bitts: What was the expected catch?

Kirk: This season we went through season management without a 15% conservation buffer. The expected catch was between 9,500 and 10,000 fish. We caught half of that with the same effort as last year, except subtracting for the weather. No matter what management techniques we use, we don't seem to catch our allotment.

Bostwick: Did you have less time out on the water this year than last year because of the weather?

Kirk: No. It was just that later in the season the fish were way out and down deep, so people came home empty handed.

McIsaac: In the Oregon fisheries in the Klamath area, we had a season almost just like last year. The troll

fishery was around 120,000 through the end of August. The catch in the Oregon portion of the KMZ sport was poorer than expected.

Lone: The Washington ocean troll non-tribal fishery was where it was last year, but with fewer boats, so fishermen did better, catching 6,000 chinook. The recreational fishery was very bad, about 15,000 coho and 2,000 chinook. We have other state fisheries north of Cape Falcon. An upcoming Puget Sound chinook listing will eliminate directed chinook fishing. There was little chinook fishing scheduled this year. On the other hand, pre-season we expected to make all the indicator wild coho escapement goals this year, so there was opportunity to take a good number of coho. The Canadian Minister of Fisheries and the Washington Governor negotiated to have Washington take coho reductions in Puget Sound in exchange for Canada providing chinook and coho back to the United States. In June, recreational fishermen in the San Juan Islands took a reduction of 20 plus days in their coho fishery.

Orcutt: In our spring chinook fishery we usually see our first spring chinook in late April. Because of higher water flows from El Nino and the snowpack, we saw little effort and no harvest of spring chinook in May (see Handout M). The fall run came in late, and we are still seeing falls being taken. The quota is 2,400 and we've taken 1,130.

Kirk: These higher flows, what was the reasons for them?

Orcutt: The normal minimum flow allocation is 340,000 acre feet. Because of the safety-of-the-dam operational criteria, for periods of time they released greater than 340,000 to put extra water out to sea to protect the dam. There was also a substantial snowpack this year.

Kirk: I heard people claim that the snowpack and snow melt would be productive for fish runs, both spring and fall chinook. Is there a connection between the higher runoff and the late runs? Was the water of better quality than usual? Was it colder?

Orcutt: Temperature standards were better met this year.

Fletcher: It is harder for some people to fish with high water.

Wilkinson: As was mentioned before, the Oregon troll fishery saw small fish this year. But in late August we had a 16 pound average per fish. There was speculation that these were Sacramento Valley fish. Then salmon effort dropped off due to albacore coming in. In Coos Bay, supplementation provides a robust fishery for fall chinook. In the Coquille area, fish were robust and active, with large fish coming in this year, 4 and 5 year olds. I would ask Jim Waldvogel to talk about the south coastal streams and Crescent City area.

Waldvogel: Early on there were many small fish, but they were nice, not skinny. Later in the season we saw bigger fish coming in the Rogue, Chetco, and Smith River areas. I heard there is a better return in the Rogue than anticipated, but still not good. Crescent City was dismal all season. We have seen early small fish coming into the Smith, and it looks like that run is coming in later than usual. On the Chetco, we don't typically see the fish run until we get more rain.

Wilkinson: Effort was shifted to the Coquille from the Rogue because the Coquille was so good.

Kirk: Typically in the ocean around Crescent City after Labor Day conditions get better.

Waldvogel: Not this year; the fish were not there. There was a pulse of fish into the Klamath around Labor Day.

Kirk: I was wondering whether our fisheries should stay open in September.

Waldvogel: After 20 years, I don't try to predict what the fish will do.

Viele: There were two test fisheries planned for this year. One didn't occur because NMFS raised concerns after winter run chinook impacts were found in that test fishery in 1997. The Bodega Bay test fishery achieved their 3,000 quota. That was well sampled by CDFG. The samples are under analysis at our lab.

Boydston: We got bad press on that Bodega Bay test fishery due to the letter writing campaign of one fisherman. CDFG put out a response by Melody Palmer. It's discouraging. I hope everyone understands we are trying to do the right thing. I hope we can get support from the commercial fishermen on this.

Bits: That individual wasn't aware that the fishery was sought by commercial fishermen.

LUNCH

Agendum #15. Klamath River escapement status.

Mike Rode: For the chinook harvest summary for the lower Klamath (See Handout N), August 20 was the cutoff date we used to separate spring and fall chinook. We had a 900 fish quota for fall chinook below Coon Creek Falls, and a 900 quota above Coon Creek Falls. We closed the fishery below the 101 bridge on the Sunday of Labor Day weekend.

Fletcher: You overshot the quota by 253?

Rode: Yes.

Bits: Are these grilse totals based on an average fork length cutoff?

Rode: Yes, a 24 inch cutoff.

Bits: So this year as we discussed earlier, with the smaller fish coming in, you have adults in with these jack numbers? Can you change that cutoff in-season?

Rode: You could go through an emergency process, but by then it would be over. It doesn't make sense to modify it in-season.

Bits: I don't want the change in the cutoff length later on to lead people to accuse the sport fishermen of being bad.

Rode: I agree.

Fletcher: I understand the size limit problem. Why was there an overage in the quota?

Rode: Look at the total harvest. In the week of September 9, in Handout N, in Area 1 the catch was 927 fish. That was a dramatic unforeseen increase from the previous week. We didn't shut down mid-season before Labor Day, because we were so far from the quota. We shut down on the Sunday of Labor Day. There is a lag time from sampling to closure.

Fletcher: We took a lot of heat in the past for that, so we now do daily estimates. You need to do daily estimates.

Rode: The overage probable occurred on the last day of the season. We do daily estimates. Fishermen that came up for the weekend lost out on a day of fishing. That wasn't easy.

Fletcher: This points out the need for better monitoring. There has been an overage in this fishery in 9 of the past 12 years.

Rode: Quotas have been so small that with a pronounced peak in the run, it is tough to manage.

Fletcher: Then you add to that hook and release mortality and adults that are being counted as jacks. That has to affect the quota.

Bitts: I agree it would be useful to see that, after a scale analysis identifies the proper cutoff, those adults classed as jacks are properly credited toward the quota.

Rode: I don't know if scales of jacks are taken there. I guess they could estimate it from scales taken in other places.

Fletcher: If you manage for a quota, you need to meet that quota. What is good for one should be good for all.

Bitts: We do the allocation preseason. We know targets will be missed, and we try to do better next time.

Bostwick: Some of your fishermen dropped their net mesh size, Troy. I assume that you will do that jack adjustment too.

Fletcher: We do it every year.

Bostwick: What is your cutoff?

Fletcher: I don't know.

Bitts: Also, in-river run size was substantially different than what was predicted.

McIsaac: On the subject of the quota, the data here show a good faith effort here to meet it. (Discussed how they use in-season management on the Columbia River).

Waldvogel: This year because the water was high early in the season, fishing was lighter than usual up river, and heavier in the down river fisheries.

McIsaac: In the upstream fishery with a 900 fish quota, does that fishery usually go either way with regards to going over or under the quota?

Rode: We don't know. It is not monitored. We use a formula as described in Handout H. We are using reward tag data from back in the 1980's to project how long it will take to reach the 900. There is no double checking. The hatchery abundance is somewhat of an indicator of catch.

McIsaac: Let's move on to the steelhead numbers.

Rode: See the second page of Handout N. We don't have many fish caught that early in the season. You can see a high release rate. That may be a function of a lot of fishing guides promoting catch and release.

McIsaac: Please tell us about spawning escapements.

Rode: See Handout O. The Iron Gate Hatchery run through October 5 is about double last year. The grilse count is up dramatically. That may be an effect of small adults in the count. The run was late. At the hatchery the water temperature is high even though this is a good water year. If it doesn't drop, they won't be able to hold as many fish in the holding tank without mortality. At the Shasta Racks, we are doing videography this year. That run just started, and it is about half of what it was at this time last year. At the Bogus Creek weir, the numbers are so small that they don't mean a lot. At Trinity River Hatchery, the numbers so far are double last year's, but it is very early in the run. Again, fish are smaller. The water is extremely cold. That may play a role in the late run.

McIsaac: Do you have a sense whether we will make the 35,000 spawner floor?

Rode: As a wild guess, I would say that we may have under-projected for this year.

Fletcher: We developed a model using CPUE and its relation to the in-river run size, but the delayed run timing this year messed up the model.

Rode: The Junction City weir is for counting spring chinook, and the Willow Creek weir is for fall chinook. The Junction City weir numbers are down by half compared to last year.

Orcutt: This month they started trapping one month later than usual due to high water flows.

Rode: Yes. Willow Creek weir is a marking weir. They don't mark every day. The weir is showing more fish than last year.

Agendum #16. Sacramento River escapement

Rode: At the Red Bluff Diversion Dam, winter run were the highest in 10 years, over 2,600. (See Handout O). Spring run in Butte and Deer Creeks are higher than last year.

Viele: I heard that the carcass count on winter run showed numbers quite a bit higher than the dam counts. Redd counts are the highest we have seen in a while.

Bitts: Dan, was the number that would have met the winter run cohort rebuilding rate about 2,000?

Viele: Yes, and if you average the last 3 years, we are well above our goal for the rebuilding rate. Hopefully we will continue to see a tripling of the spawning populations.

Agendum #17. Northern fisheries and escapement

McIsaac: Off the mouth of the Columbia River, there was a first-ever marked selective fishery in ocean waters for coho. Mike Burner will give an overview. He was actively involved.

Burner: The fishery started on August 3 with an 8,000 fish quota, of which 7,000 were for retention and 1,000 were for hook and release mortality. The catch was good. After 4 days, we were nearly three quarters of the way to the quota. We added one more day. After that there were 950 fish left. We opened it up to one more day on September 3, and 500 fish were caught. We closed it with a 6,600 fish catch. The ODFW did observation studies during the fishery. We expected a 50% mark rate. We put observers on boats and found that it did come out that way on the boats. Dockside anglers reported a 40% mark rate. There was a little

grouching among the fishermen as with any new regulation, but in general it was well received. The fish were in good condition. They were not smaller.

McIsaac: What about the misidentification rate of adipose clipped fins by fishermen. Did you collect data on that?

Burner: Identification of clipped fins was not a problem.

McIsaac: This was the first year using wands to find CWT's. Were there problems?

Burner: No, the wands picked up the tags fine.

Boydston: Do you have marine mammal interactions there?

Burner: They are in the area, but there are not complaints of interactions.

Viele: How would you assess the wands' errors if they are not picking up some CWT's?

Burner: The wands are tested prior to use. The wands will self-detect any battery problems. The CWT's are magnetized to increase the ability of the wands to pick them up.

Ronnie Pierce: I don't understand; aren't the tagged fish fin-clipped?

Burner: No. Now the hatchery fish are fin-clipped for the selective fishery, so we need the wands to detect the tags.

Boydston: Are there plans to go forward again in 1999? This is an allocation issue for coho.

McIsaac: The 1996 brood year has been clipped, so it will be on the table in March and April.

Boydston: Would Oregon Coastal Natural (OCN) impacts be in that 1,000 catch-and-release mortality?

McIsaac: In each OCN sub-aggregate, there is a hatchery. There is double indexed tagging done, where 25,000 fish are tagged that do have their adipose fins clipped, and 25,000 are tagged that don't have their fins clipped. So when the fish come back, you can tell what the catch-and-release mortality was. Then that information is used to get a fishery impact on wild coho populations.

Lone: Can you explain the misidentification factor?

Burner: Misidentification was a point of concern to the STT. A 10% misidentification factor was modeled into the 1,000 fish non-retained mortality.

McIsaac: So, since the misidentification didn't happen, the impact on wild fish was less than the anticipated 1,000?

Burner: Yes, but I think the STT might have made an error on their hooking and drop-off mortality calculation. So the post season number for impacts may be higher than expected. I believe mortality of OCN's is small.

McIsaac: On the Columbia River, coho caught off the mouth and in the river were greater than average size. The early run return was upgraded in-season from 50,000 to 75,000. The up river bright run of fall chinook was downgraded during the season, but the run was late, so it was then upgraded to just above the pre-season

expectation. The runs of the two Tule strains of chinook were poorer. The Canadian fishery for coho and chinook was closed for the second year in a row, due to run concerns. That may be why the Columbia River runs were upgraded. That may also be affecting coastal Oregon runs. In southeast Alaska, catches are less successful than expected. Maybe abundance is down up there.

We already did agenda #18 and 20. Let's take a break.

Boydston: I must leave. I have given my input on the draft letters under consideration. I concur with the letter to Mike Spear. I want to see a joint TF/KFMC meeting. Someone should go to the California Fish and Game Commission meeting in Eureka in December to make a presentation on the salmon process again.

Silveira: A joint meeting is logistically possible, because we haven't made final arrangements for either the KFMC or TF February meetings.

Break

Agendum #19. Shasta River fall chinook harvest

McIsaac: Dave Webb sent me a communication asking that I distribute the most recent TAT report on the Shasta River issue. I was out of town and wasn't able to do that, so I would like to have the chair of the TAT give a recap of that report. Then we will hear from Dave Webb.

Kautsky: In February 1997, the Shasta CRMP submitted a letter highlighting the fact that the brood year (BY) 1992 return at age-three in 1995, was greater than the return at age-4 in 1996. You would have expected a larger return at age-4. The TAT was directed to look into that and in September 1997, we submitted our first report. We found little evidence that differential harvest of Shasta River fish was solely responsible for that anomaly. In October 1997, the KFMC received a letter from the CRMP critiquing that report, saying it was biased and suggesting the use of temperature data and recommending an independent review. On February 24, 1998, Dave Webb sent letters to Dr. McIsaac and the KFMC reiterating his differential harvest concern. In February 1998, the KFMC told the TAT to take a further look. The TAT then considered the stock and its life history using a "binary tree model" to help us understand possible mechanisms for the seeming discrepancy. We identified that an increased maturation rate for age-3 fish could account for a seeming disproportionate return of age-4's relative to other natural stocks. By regressing Shasta age-2 fish against their adult component, we found a strong relationship. Mr. Webb later identified deficiencies in our data. When we corrected that, we had an even stronger relationship. What would drive that relationship would be an advanced maturation rate. Maybe something anomalous was going on prior to that period, where Shasta fish were maturing later, and the norm of those fish was to mature at age-3. That could help explain what Dave pointed out as a anomaly. We also examined increased harvest on age-4 verses age-3 fish in the river and the potential for increased natural mortality or straying by mechanisms like flows and temperature. We feel that it was an exhaustive review, except for the data problem Dave pointed out. I haven't had time to review this latest letter from him. (Handout P)

Webb: It is unfortunate that you don't have at hand the report you received at your meeting several months ago when your TAT gave their final effort to review the potential causes for the problem we all agree occurred on the Shasta. The BY 92 returned in 1995 at age-3, when the total run size was about 13,000 plus. The bulk of the run was 3 year olds, and we had the expectation of a similar sized 4 year old component the next year. In fact, the run on the Shasta in 1996 was 1,500 - a 90% reduction. We were disconcerted, because we've been struggling to revive the run. A 90% drop in numbers seemed like it warranted an investigation. Particularly if it were to recur, it could result in the extirpation of the run before long. We put together the report you received in Portland 2 years ago. It was assigned to your TAT to review, and they've done the best they could with it in the

intervening 2 years. They obviously have put in a tremendous amount of work. But the reason I'm here is, I feel it still doesn't adequately address the questions we raised. As a volunteer body, with no budget and the data such as it is, it may not have been possible to reach definitive answers. I think it's important that we make it clear to the rest of the world that, while this was the best anyone could do, perhaps the issue deserved better. I would like to discuss some of the specifics I found there. If you have a copy of the TAT report along with my letter (Handout P), we can compare them.

Silveira: Staff can quickly make copies for those that don't have them, if you wish.

Webb: To make sense of my comments you would need one. I tried to be specific and go section by section, so that it would not appear we were simply grouching, but wanted to address the specifics of the study productively. If this report is going to be distributed as the definitive answer, this body should know where it stands as far as accuracy and completeness.

McIsaac: Jennifer, you say you have the report? How big is it?

Silveira: Not too many pages.

McIsaac: Let's have staff make copies of that (Handout Q). Dave, please give an overview of your comments, and if you have specific reference points that refer to the report, do that last.

Webb: If you wish you can go on to other items in the meantime - I can wait. I don't want to waste your time.

McIsaac: It would probably not be useful at this time to go through it and point out errors in tables and such. I understand you have identified something that the TAT has agreed with, and they made some adjustments. The report we are going to get a copy of still has the old corrupted data.

Webb: I don't intend to go line by line, but block by block. I think you need it in here.

McIsaac: Can you tell us where you disagreed with the conclusions?

Webb: We had a couple outcomes in mind: 1) To fundamentally answer the question "what happened here" and 2) once that was determined, we would have some measures to make sure it didn't happen in the future, or that if it might happen again, management would be adjusted to allow continuation of the Shasta River run. The consequences to your basic age-4 and age-3 estimation are obvious if the age-4 fish don't show up. If the Shasta River were a significant component of your model, it could significantly bias it. If the age-4 fish don't show up in some years, it could lead to over-harvest in some years. If one of your watersheds is substantially out of step with the rest of the basin, it's important to know it. It may be essential to deal with it, but at present we can't answer those questions. The report of the TAT didn't touch on the issue of how often it happened in the past. At least we have a foundation of agreement that what happened was unexpected and unpredictable. If we don't have the data to arrive at any conclusions, then perhaps this body needs to point that out and buck it up the line.

If it is a man-caused thing, like (as was suggested) pulse flows in the Shasta River, maybe we should examine the appropriateness of those. If it's high temperature in the Klamath, we need to figure out what we can do about that. We feel this issue is too important to let go. We had a unique series of events that left us suspicious that a big chunk of the problem might be harvest related, therefore this is the body to address it. I sympathize with the work load of the volunteers on the TAT. Perhaps this could be used as a tool to point out to the PFMC and Department of Commerce that it is unreasonable to expect this body to do its job without budgeted staff.

McIsaac: The time we have had our TAT devote to this issue is evidence that we agree it is too important to

ignore. There was a question in the past about data from the fishery - has that been included in the analysis the TAT did?

Webb: Yes, we were looking into it ourselves, and had requested data from the Yurok tribe. That was delivered to us at the end of December 1997.

McIsaac: Has this problem occurred in 1996 and 1997?

Webb: I haven't looked into that in subsequent years. From scale data, and the graphs in our original report, it looks like it may have occurred in the past.

Kirk: Do we have the figures for 1997?

Webb: Unfortunately the Megatable doesn't allow you to compare age-3 one year to age-4 the next.

McIsaac: The thrust I'm getting from your comments is that you agree the TAT has devoted time to this, that there were additional analyses you would have liked to have seen, but you don't disagree with their conclusions?

Webb: My perception was that there were no conclusions in the report, because the data would only support speculation. I wanted to make sure we were all comfortable with the fact we have no conclusions. Perhaps we can make a list of data needs to get to some conclusion.

McIsaac: We have some very pressing time consumptive assignments to give to the TAT. This February 26th report from the TAT does not have the corrections you pointed out made to it yet. Perhaps a solution, rather than go over what you have presented here, is to give this to the TAT for consideration, but not devote a lot of time to it unless they see something in your report they have yet to consider, and go final with the report. Then NMFS, a peer reviewer, or an agency more responsive to what you're after can consider it.

Webb: I agree. I would request that for other peer reviewers the data be attached to the report.

McIsaac: Does it seem reasonable to the other members to reach some stage of finality on this?

Wilkinson: I agree. We need to come to closure. Dave Webb points out that we are a volunteer group. We should have the TAT address Mr. Webb's concerns, and I suggest they invite Mr. Webb to participate.

Kirk: I concur. I'm not a technical person. I rely on the TAT. I can't absorb this.

Fletcher: I disagree. We put this issue to rest. That's what we all decided. We spoke to it when this report was presented to the KFMC. Mr. Webb was invited to that meeting and chose not to attend. There was a detailed presentation of the data and analysis, and we were able to ask questions of the TAT. We all decided to accept this report and send it to the TF and ask them to do the companion report to identify the instream habitat factors that have contributed to the decline of Shasta River fish. The TF chose not to deal with that because the Siskiyou County representative voted no, for whatever reasons (Handout R). Everyone else voted yes. It's not a wise use of TAT time to have them do a tit for tat rebuttal of Dave's rebuttal to our TAT report. I've read some of it and have spoken to my biologist, and there are some things in it that just aren't correct. It's not our job to be a tutor to someone that's taken time to attack our positions over and over. This will be just another step in the on-going process. Dave has a responsibility and a right to present information to the KFMC, and to be involved in harvest management, but to beat a horse until it's bloody - no one has the right to do that. When we present credible information that took significant TAT time, we need to move on from there. I'm only going to support going further if there is credible new information. My question to Dave is: it's obvious you and the

CRMP have spent a lot of time on this. Do you think that's an appropriate use of TF resources when you have a basin management plan you need to correct, and times of the year when water temperature in the Shasta River is lethal to fish, and coho salmon nearly extinct in the Shasta (that cannot be attributed to harvest), and spring chinook and steelhead that are almost extinct, and you don't know what the status of lamprey in the basin is? When there are major water issues going on out there, this seems like a large waste of TF money and your time. Are you being paid by the TF to do this?

Webb: Regardless of who is paying for this, I don't see how I can work on restoration of a salmon run if a 90% reduction between one year and the next is insignificant. I can't ignore that, and go on with any hope of success. I have to pursue it if no one else will. As far as the funding goes, when I come here to see you, it's on my nickel. The write up is reviewed by the CRMP, and some of the assembly is paid for by the TF. On the other hand, I'm there to act both with and for them, and if they feel as though they aren't being given a fair shake and they can't be heard, and are being ignored by other bodies because they lack the jargon and time, then they'll say "Hey, we won't play in this game." I agree whole-heartedly. I shouldn't be wasting my time here. One stop should've done it, but it didn't. I don't like driving over here today Troy. I didn't want to. My wife's home sick today. I didn't know what else to do.

Fletcher: I didn't want to come either.

Bits: I'm distressed you continue to speak as though this Council were not concerned about that anomaly. This Council has shown considerable concern, and our work by the TAT shows that. After all this you say we apparently consider this anomaly insignificant.

Webb: I didn't say...

Bits: You just did a minute ago.

Webb: No, I said if I considered it insignificant, I couldn't do my job. I have to care, even if it means I have to go outside the Shasta Valley to pursue it. I didn't say or imply this group thinks or acts like it is insignificant, nor did I intend to. This report was forwarded to the TF as a final document. That concerns me. If it is not a final document, it should say draft. If it is a final document, it seems inappropriate to me to finalize a document without having had time to read and study the product.

McIsaac: We need to remember the TF and Council are working toward a common goal. We have looked pretty comprehensively at the fishery side of it. Perhaps the TF would reconsider looking as comprehensively at the other habitat possibilities if indeed they had a final report from us. I'm inclined not, as Troy indicated, toward a point-by-point counter rebuttal of the points in this October 7 memo, but rather finalizing a report with the correction that's been alluded to, with consideration of anything that is new here. Then it would go to the TF, NMFS or whomever. George, can you answer the question of what happened in 1997 with regard to 3's and 4's?

Kautsky: We just looked up the age composition data we have on it. The BY 93 return of 3's in 1996 (397) and 4's in 1997 (782) suggest that anomaly did not occur.

McIsaac: I ask the Council to consider an assignment to the TAT to modify the paper to have it reflect a final report status with their authorship, and that they consider the corrections that are already apparently concluded by them and anything new, and we look toward a final report completed between now and our next meeting. Out of deference to their workload, i.e. not being able to get to the ultimate scientific answer on the Megatable, or the proper stratification on the KOHM, or the spawner recruit point estimate expectation, or any of these other scientific explorations we have asked the TAT to do, we would limit it to looking at the memo and making any corrections they feel appropriate.

Fletcher: I won't agree to that. We did accept the report. We're wasting time. My staff put in at least a month and a half of man hours redoing harvest estimates, doing daily harvest estimates, spending time on this report. I'm not willing to go along with anything more on this unless there is new information brought to this Council. I won't agree to rehash the same issue. It isn't productive.

McIsaac: What do you say about an existing document that our TAT says has errors in it?

Fletcher: I wouldn't mind our TAT correcting that one error. If you go back and look at Dave Webb's memo, you get into a point counterpoint, and then once we have a final document, Dave will then come up with additional darts. I've looked at some of the concerns he raised, and some of them aren't accurate. It's not productive to have our TAT go off on goose chases when we have the KOHM that will cause us much consternation come next March. We've acknowledged an error in the data, but after correction it provides a stronger correlation not a weaker one. My understanding is that it strengthens the maturation rate argument. I won't move off this point. I wish Dave luck, and hope that he spends as much effort putting water back in the Shasta River as he does taking fish out of harvest.

Silveira: I know there was a lot of discussion about the fact that the report did come out on the morning of the last day. Ron Iverson did raise some concern about that, although he did abstain from the vote and let it go forward. I don't feel that making small changes, if it is not going to take the TAT's time up, is inappropriate if it can make some peace and come to closure on this.

Bits: I agree with Troy. It's time to move on. As far as the last minute nature of the report, I recall we had a very thorough explanation and discussion of this draft report, in which the matrix of possibilities was displayed on a screen and we went over them one by one as the report does, and Dave Hillemeier was questioned. I thought this was one of the best pieces of work of its kind that I've seen. I'm not prepared to spend the rest of my life revising and amending this report. Let's get on with business.

McIsaac: So I don't hear any objections to finalizing this report with the correction the TAT has already investigated.

Fletcher: With regard only to that one particular area.

McIsaac: We understand that if a motion was made to consider more than that, that you would vote no. Then let's leave it at that and assign it to the TAT to finalize the report with that one correction, so that it can be distributed. Is that acceptable to the Council?

Members agree

McIsaac: Dave, we appreciate you driving all the way down here, and bringing this to our attention. You weren't here yesterday for a very long discussion about our work load constraints. You have said you are sympathetic to those.

Webb: I appreciate all your time on this, and I know you have plenty of other stuff to do.

Added Agendum: Report on the Five County Coho Conservation Plan

Kirk: The magnitude of this project, a five county coalition of local governments taking on a plan such as this, made us believe it will take millions of dollars and a number of years to complete a document. Eighteen to twenty months ago, we formed the coalition, knowing that NMFS would see some benefits in it, and set this up as a model. We met most recently in Redding and reviewed a draft assessment by U.C. Davis as part of the initial

state resource funding of \$100,000. \$65,000 was spent on the assessment of the five counties. The assessment was to look primarily at road systems. That report will come out to the public after the first of the year. This is the first step in the county's effort to work with the state and federal governments to come up with a recovery plan for our infrastructure. We don't believe our staff has the background to produce total recovery of fish, but we are accepting responsibility for our part that we hope will fit into a comprehensive coho plan. After the assessment, there will be workshops and training for public works departments. We had a five day training in Quincy, California, to which Humboldt County sent six employees to learn better road building practices. The goal is more trained staff. We are looking for additional funding. Trinity County has taken the lead, and Mr. Mark Lancaster has provided full time services. We have applied for Thompson Bill funds. We feel we have a good chance to capture more grant funding. Humboldt County has committed in-kind resources to do a technical survey of county roads, and three other counties have done like wise. Not only NMFS, but For the Sake of Salmon in Oregon and other groups have indicated an interest in our process. Seven counties south of us are beginning a similar process and are looking to our counties as a model. A lot of the inspiration for this came from the Oregon watershed groups. We are all in this together.

Fletcher: Does the five county effort include private lands or just county-operated roads?

Kirk: The purpose is to get a handle on county roads. In our county alone we have 1,300 miles; 4,800 miles in the five counties have had preliminary assessments. We hope that there are similar efforts such as HCP's going on on private land holdings.

Fletcher: Has county regulatory authority been included in the plan? You obviously control gravel extraction.

Kirk: Yes, absolutely. We are looking at grading ordinances and water and soil issues. The Farm Bureau and the Resource Conservation Districts are working on their end of it. In the big picture, government and non-government must come together on this.

Agendum #22. Spring chinook management

Kautsky: Last April we had an assignment to investigate spring chinook management. This has been an ongoing assignment for some years. The TAT met in July and a couple days ago, and we have assembled an update. I defer to Dave Hillemeier to walk you through Handout S.

Hillemeier: Our assignment was to provide information, including potential management objectives, harvest allocations implications, a predictor for stock abundance, and the past performance of this stock. The data for ocean recoveries, harvest rates and allocation came from CWT's. The ocean recoveries came from the PSMFC data base. We had to get California inland CWT recoveries from the various agencies and hatcheries. That is now compiled. For the natural spring run chinook, from the South Fork Trinity and Salmon Rivers (the primary natural spawning rivers) there have been annual snorkel surveys since 1991. These are done in August on the spring chinook holding in the river, about one month before spawning. The results serve as an index, but are not the population abundance. The estimation of the abundance of the main stem Trinity River population above the Junction City weir is described in Handout S. As far as allocation of the harvest of spring chinook, see Figures 1 through 3. Non-tribal fisheries have consistently harvested more chinook than tribal fisheries. The only exception is the brood year during 1990. The disparity between the harvest of the tribal and non-tribal fisheries has decreased in recent years. Figure 3 breaks out the non-tribal harvest in terms of ocean harvest and in-river harvest. It's interesting to note that in the past, the ocean harvest of spring chinook was larger than the in-river fishery harvest. Then in the late 80's that fluctuated a bit, and since 1991 the in-river fishery has harvested more spring chinook. One thing about that in-river fishery that actually minimizes the in-river harvest is that that figure is just the harvest above the Junction City weir. The angler harvest below the Junction City weir has never been monitored for spring chinook.

The spring chinook fishery in the lower river has picked up in popularity in recent years. (For harvest rates see Figures 4 and 5). As you would expect, the harvest rate of spring chinook is lower than that of fall chinook. For performance of the fishery, (i.e. escapement), see Figure 6. The largest component of spring chinook spawns in the main stem Trinity River above the Junction City weir. This population is often largely comprised of Trinity River hatchery strays. The Salmon and South Fork Trinity Rivers comprise a relatively small portion of the entire population and are a fraction of their historical abundance. Other historical spring chinook populations have been extirpated from the basin. That's been largely because of the lost access to spawning grounds above Iron Gate and Trinity River Dams. We have developed a predictor, but we recently found an error in our hindcasting results, so we will not be presenting those to you today, but will present them to you later. There has been a good relationship between ocean abundance and in-river run size, so the predictor is based on CWT's. The TAT needs guidance from the Council regarding management objectives (see Handout S).

Wilkinson: Can you speak about straying between the natural populations in the Salmon River and the Trinity River?

Hillemeier: I would expect there are a few if any.

Wilkinson: There has been rehabilitation work on the Salmon River. It would be nice to know whether spring chinook population increases were a result of that rehabilitation or straying.

Fletcher: The sport fishery on the lower Klamath is gaining popularity. Toward the end of July, I saw 30 sport boats in the estuary. That's putting pressure on those spring fish. We put in a proposal to CDFG to monitor that fishery. We hope it will be accepted.

Orcutt: What is the overall brood removal rate from the ocean fishery and the in-river fishery for springs compared to fall chinook?

Hillemeier: See Figure 4 for a comparison of ocean harvest rates of springs versus fall chinook.

Orcutt: You mentioned hatchery strays between Junction City and Trinity River hatchery. They, like for the falls, are called naturals by the state. For the purposes of management, fall chinook naturals and wild fish are the same. I'm not aware of any difference between fall and spring chinook in rates of straying and recovery.

Hillemeier: Yes, you are probably right. Data are available. We could take a look at that.

Orcutt: You might want to treat them the same as the falls are treated.

Bitts: Figure 4 shows a spike for the 1989 brood in ocean harvest rate of springs. In 1993, we had a lot of Trinity River Hatchery spring tags show up in that fishery. I don't know why.

McIsaac: Theoretically, spring chinook are exposed to one less summer of fishing than fall chinook. I am curious why they would ever show a higher harvest rate. The TAT has asked for our guidance. We do have a variety of other priorities for assignments to them. Let's discuss this under TAT assignments.

Orcutt: Regarding the issue raised on the separation of the races of spring and fall chinook in the Klamath, the outcome of the BRT meeting would have some bearing on management objectives. After talking to Craig Bodie, I understand there are place holders for the management of spring chinook. I am concerned that the PFMC has objectives for those stocks, and yet the BRT was saying something different. This is a decision point for the management of spring chinook.

Fletcher: I thought NMFS said that although they were the same species in the ESU, that spring and fall chinook could be managed separately. We would speak in favor of developing management objectives.

Viele: The reason springs were put in the Plan Amendment as place holders primarily came out of our discussions with co-managers in California. I don't think Council management has to proceed in lock step with the BRT's view of the world. If the PFMC or KFMC feels there is a stock that needs protection, then they can go forward regardless of the BRT.

Bits: I don't see information on this, but looking at Figures 4 and 5, it appears the fish have been surviving fisheries in five of the most recent six years at a rate of about 40 to 50 percent, which is about 1/3 over the rate we manage falls for. Am I reading that right?

Hillemeier: Yes, for ocean harvest.

Bits: Of the whole population, 10 percent is taken in the ocean, roughly. Which leaves you 90 percent. Taking 40 percent or less of that in the river (actually less), 40 percent of the 90 percent looks like a spawning rate on the order of 45 to 50 percent.

Hillemeier: Probably, yes.

Agendum #23. Public comment

Jim Welter: I want to say to keep that KOHM going. About spring chinook management, how about all the strays that go into other rivers? I see a lot of problems with the ESU concerns coming up with bad data. You have to have the right data. I see a lot of decisions made based on wrong or incomplete data, and then you pay for it later.

Agendum #24. Identification of agenda items for the next meetings: February 24-26 in Klamath and March 7-11 at the Columbia River Doubletree in Portland.

McIsaac: First, L.B. requested that we send someone from the Council to the California Fish and Game Commission meeting. Do we have any volunteers?

Fletcher: I volunteer.

Kirk: I volunteer, and I'll ask Jerry Barnes if he will come too. I saw Jerry's presentation last November to the Commission, and it was very good. We don't probably need that presentation again, but it is important for us to be there to encourage them to stay on the same track as last year and work with us in the process.

McIsaac: Perhaps you can give them a quick briefing of how the season went this year, especially for the in-river fishery, and remind them of our schedule for this year. Next, let's discuss a joint TF- KFMC meeting.

Silveira: The TF meeting is scheduled for February in Hoopa, but the arrangements have not been made. That leaves us the opportunity for a joint meeting.

Fletcher: Maybe we can have a Council meeting that overlaps one day with the TF meeting.

Wilkinson: Can you do this in Hoopa?

Fletcher: I think you could. There are motels in Willow Creek. I think the last joint meeting was held in Hoopa.

Orcutt: We had it at the Neighborhood Facilities which wasn't the best arrangement. I'm working on a couple alternatives.

McIsaac: Troy, you had asked that our meeting be held in Klamath. Are you amenable to a change in location?

Fletcher: Yes.

Bits: Are we not having it in conjunction with the State's informational meeting in Santa Rosa?

McIsaac: Last year we had some strong local comment against driving to Santa Rosa and displacing what otherwise would have been a local meeting. Would the members who also sit on the TF present the suggestion to them to have a joint meeting at which the focus would be funding for monitoring, and Jennifer, could you describe the logistics to them? Are there other suggestions for the agenda?

Fletcher: I would offer to do a presentation on our marine mammal study at the mouth of the Klamath.

McIsaac: We talked about NMFS making a presentation on possible options and jeopardy standards under the ESA constraints. We also talked about the GSI results regarding the presence of Klamath fish in the near shore waters of Bodega Bay.

Wilkinson: We should slate a nomination for vice-chair.

Fletcher: Would it be appropriate to send a letter and token of appreciation to Rod McInnis?

McIsaac: Yes. Let's have the staff research the record, bringing out the highlights of his service and his finer quotes. Then staff can write a letter for my signature inviting him to our meeting in February. We can present him a plaque and the packet we put together from the record.

Also on the February agenda, we should see a run size forecast and an item on the Megatable and accountability of the previous year.

Bits: By accountability of the previous year, were you referring to the performance of the model?

McIsaac: No, to the Megatable.

Bits: Then I would request an item on the performance of the KOHM and how it came out with the various harvest rates.

Kirk: Can we have comments back from the PFMC regarding the KOHM and how we will proceed in January?

McIsaac: After their November meeting, if the PFMC sends a response to staff they will distribute that to the members. We will have this as a report from our TAT. For potential technical reports on the agenda, we have a report on the forecast, a report on the run, a review of the Megatable and documentation, a report on the KOHM including some description of what to do, an abbreviated completion of the stock recruitment assignment, and a report on spring chinook management objectives.

Agendum #25. Assignments to the TAT.

Bits: I would like to receive from the TAT whatever information is available on size of downstream migrants in rotary traps, preferably a time series or other information on downstream migrants. I would like to play with that as it correlate with age 3 abundance.

McIsaac: We have a draft letter on the KOHM. There was a discussion that there be a comfort level with any proposed changes. Do members have comments on that?

Fletcher: I would like some bullets on the major issues we may be facing with the KOHM. I want to know the drive ability of the model and something to avoid surprises.

McIsaac: Our letter says we'll look at the 1998 performance of the most recent KOHM then look at possible revisions. What is foremost on our minds for those?

Bitts: There is evidence of a gradient in Klamath impacts expressed as Klamath fish per 1,000 fish landed. That is not reflected in the model. Can it be reflected within the parameters of the existing model?

Barrow: I'm not sure of the answer without talking to Michael Mohr. We will get back to you directly.

Wilkinson: Should you limit it to just the southern cell? Shouldn't you look at the adjacent cells?

Bitts: Yes.

Fletcher: I want a little work on the spring chinook stuff. Maybe as little as a presentation to the Council of information that was provided to NMFS about the spring natural escapement targets --things of that nature.

McIsaac: Regarding these other candidate items, the TAT recommended a review of the Megatable with the Megatable authors and data sources. That should be on the February agenda and L.B. said he was in favor of CDFG participation from the Region. Regarding the stock recruitment exercise, we have had two reports on that. Let's just have a limited scope related to the original assignment (a check back on the original spawner recruitment report of 1985), and let's drop the side issues. Troy indicated that maybe Dave Hillemeier can take the lead in one area of it. I ask Steve to have Mike Burner and the Oregon staff work on this. Oregon will try to take the lead on this, offering a draft that the TAT could approve.

Kautsky: I have reservations on that. We already have a course we undertook and the individual doing the research has data in hand. I don't mind dropping some of the side assignments, but I take exception to having a new lead. We did a report. We were given these extra assignments by the Council. If we drop those, then we can go back to the original assignment. Which ones do we drop?

Fletcher: I agree the assignment needs to be closed, but if we cut it back to the original assignment we will still be left with questions. I appreciate you offering Oregon staff time.

McIsaac: If you want to take the lead, George, we would rejoice in that. But if we wait for Dr. Prager to come back to it, we may hear in February that it hasn't been done. We want to get away from any one single person doing it. I didn't mean to imply that there would be any independent conclusions drawn. If you want to give a draft of an abbreviated report without sub stocks and without trying to explain environmental variability, that presents the data as it is, as a workload relief approach, that would be good. It may stimulate later discussion, but it would document where we have come to in the recent generations.

Kautsky: I'll accept the charge. (In audible)

Barrow: If we identify the major KOHM issues to the Council in February, then we only have two weeks to implement those by the March meeting. Shouldn't we identify the issues sooner?

McIsaac: I agree. Maybe with what you have heard today, you can identify the issues sooner, and we will leave it up to you folks to consider a schedule that can be accomplished. Are there further comments before we adjourn?

Wilkinson: Can we instruct staff to prepare a single sheet that would provide a glossary of abbreviations on one side and on the other side the names of the members and the TAT and their affiliations?

McIsaac: At each of the PFMC meetings there is a roster. Let's have staff prepare that.

Lone: I have learned a lot at this my first meeting. It has raised my interest in a lot of other issues. Do you have a regular process where you look at your budget as the year progresses?

McIsaac: It is not a situation like the PFMC that has a budget committee. The budget for this Council is set by the TF and limited by a Congressional Act. Can staff prepare briefing materials for Mr. Lone on the budget process ahead of the joint TF/KFMC meeting?

Silveira: As a housekeeping item, what does the Council wish to do about the draft letter on monitoring written in March 1998? (Handout T)

Fletcher: Let's take it off the table. It's clear that CDFG does not have the funds for monitoring (see Handout U).

McIsaac: I see nods of agreement to take that off the table.

Fletcher: We have distributed a draft letter to Mike Spear on the \$80,000 (Handout V).

McIsaac: Let's do a consent mail process on that.

ADJOURN

PARTICIPANTS
KLAMATH FISHERY MANAGEMENT COUNCIL
October 7-8, 1998
Smith River, California
Meeting #54

Attachment #1

Members present:

Dave Bitts	California Commercial Salmon Fishing Industry
Virginia Bostwick	California In-river Sport Fishing Community
L.B. Boydston	California Department of Fish and Game
Troy Fletcher	Non-Hoopa Indians residing in the Klamath Conservation Area
Paul Kirk	California Offshore Recreational Fishing Industry
Don McIsaac	Oregon Department of Fish and Wildlife
Mike Orcutt	Hoopa Valley Tribe (for Pliny McCovey Sr.)
Jennifer Silveira	Department of the Interior
Dan Viele	National Marine Fisheries Service
Keith Wilkinson	Oregon Commercial Salmon Fishing Industry

Other speakers:

Scott Barrow	TAT, California Department of Fish and Game
Mike Burner	TAT, Oregon Department of Fish and Wildlife
Dave Hillemeier	TAT, Yurok Tribal Fisheries
George Kautsky	TAT, Hoopa Fisheries Department
Don King	Oregon Department of Fish and Wildlife
Ann Mullen	Graduate student, University of California at Santa Cruz
Ronnie Pierce	McKinleyville, California
Michael Rode	California Department of Fish and Game
Jim Waldvogel	TAT, Sea Grant
David Webb	Shasta CRMP
Jim Welter	Salmon Advisory Sub-panel, Oregon Recreational Fisher

HANDOUTS
KLAMATH FISHERY MANAGEMENT COUNCIL
October 7-8, 1998
Smith River, California
Meeting #54

Attachment #2

Agendum 4	Handout A.	Letter from the U. S. Department of Commerce, National Oceanic and Atmospheric Administration to Dr. Donald McIsaac, Chairman of the Klamath Fishery Management Council, regarding resignation of Rodney McInnis as the NMFS representative on the Klamath Fishery Management Council.
Agendum 4	Handout B	Letter from William Hogarth, Regional Administrator of the U. S. Department of Commerce, National Oceanic and Atmospheric Administration to Dr. Donald McIsaac, Chairman of the Klamath Fishery Management Council, designating Mr. Daniel Viele as the NMFS representative on the Klamath Fishery Management Council.
Agendum 4	Handout C	Letter from Lawrence D. Six, Executive Director for the Pacific Fishery Management Council appointing Jim Lone as representative to the Klamath Fishery Management Council replacing Nat Bingham.
Agendum 5	Handout D	Excerpt from Draft Klamath Task Force Meeting Minutes, June 25, 1998.
Agendum 18	Handout E	Letter from Jacqueline Schafer, Director of the Department of Fish and Game to Garth Griffin of the National Marine Fisheries Service, regarding comments on the recent NMFS actions related to chinook salmon listing.
Agendum 12	Handout F	Klamath River sport harvest, 1993, California Department of Fish and Game, Klamath River Project.
Agendum 12	Handout G	Annual Report - Trinity River Basin Salmon and Steelhead Monitoring Project 1993-1994 Season
Agendum 12	Handout H	Final Performance Report by the State of California on Salmon and Steelhead Research, Management and Enhancement Project for July 1, 1996 to June 30, 1997.
Agendum 12	Handout I	Klamath River Technical Advisory Team Report to KFMC, October 8, 1998 - Megatable Methodology Documentation.
Agendum 10	Handout J	Klamath River Technical Advisory Team Report to KFMC, October 8, 1998 on Status of the KOHM Revision.
Agendum 11	Handout K	Klamath River Technical Advisory Team Report to KFMC, October 8, 1998 on Stock Recruitment Relationship/Simulation Modeling.
Agendum 14	Handout L	Yurok Tribal Fall Chinook Harvest

Agendum 14	Handout M	Hoopa Valley Tribal Net Fishery - Chinook Salmon.
Agendum 15	Handout N	California Department of Fish and Game - Chinook Salmon Harvest Summary, Lower Klamath River 1998 Season.
Agendum 15	Handout O	1998 Chinook Escapement Status
Agendum 19	Handout P	Letter dated October 7, 1998, from David Webb, Shasta CRMP Coordinator, regarding Klamath Fishery Management Council analysis of differential harvest impacts to Shasta Fall Chinook.
Agendum 19	Handout Q	Memo dated February 26, 1998 from the Klamath River Technical Advisory Team to the Klamath Fishery Management Council regarding Brood Year 1992 Shasta River fall chinook.
Agendum 19	Handout R	Excerpt from Draft Klamath Task Force Meeting Minutes, June 24, 1998.
Agendum 22	Handout S	Klamath River Technical Advisory Team Report to KFMC dated October 8, 1998 regarding Spring Chinook Management Progress Report.
Agendum 20	Handout T	Draft letter from Dr. Donald McIsaac, Chairman of the KFMC to Jacqueline Schafer, Director of California Dept. of Fish and Game, regarding Klamath-Trinity Basin Fisheries Related Monitoring, dated March, 1998.
Agendum 20	Handout U	Memorandum to Bob McAllister from Mark Pisano, California Dept. of Fish and Game, regarding Klamath River Project Budget Shortage, August, 1998.
Agendum 20	Handout V	Draft letter to Mr. Mike Spear from the KFMC regarding funding provided by the Klamath River Restoration Act.
Informational	Handout W	Memorandum dated September 21, 1998 from Bruce Halstead, Project Leader, Fish and Wildlife Service to Karl Wirkus, Area Manager, Bureau of Reclamation regarding information request - 1995 Fall Chinook Adult Escapement.
Informational	Handout X	Letter dated September 2, 1998 from Robert Treanor, State of California Fish and Game Commission to Ronald Iverson, Executive Secretary of the Klamath Fishery Management Council regarding harvest allocation to Indian Rancherias.