THE SECRETARY OF COMMERCE
Washington, D.C. 20230

Declaration Concerning the Klamath River Fall Chinook Salmon Fishery

Klamath River fall Chinook (KRFC) is a key stock used by NOAA's National Marine Fisheries Service (NMFS) to manage the mixed stock ocean fishery off the Pacific Coast, in which salmon from different rivers of origin co-mingle in ocean waters and are harvested together. Fisheries disaster relief is covered by Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, which specifies that the Secretary, at the discretion of the Secretary or at the request of the Governor of an affected State or a fishing community, shall determine whether there is a Commercial Fishery Failure due to a Fishery Resource Disaster as a result of natural causes, man-made causes beyond the control of fisheries managers to mitigate, or undetermined causes. At the request of the Governors of Oregon and California in April 2006, I began an evaluation of the Klamath River fall Chinook. On July 6, 2006, I declared a Fishery Resource Disaster under section 308(b) of the Interjurisdictional Fisheries Act of 1986.

The conservation objective for KRFC established under the Pacific Coast Salmon Fishery Management Plan (Salmon FMP) requires a return of 33-34 percent of potential adult natural spawners, but no fewer than 35,000 naturally spawning adults, each year. In compliance with the Salmon FMP, a "conservation alert" is triggered when a stock is projected to fall below its conservation objective. Under such circumstances, the Pacific Fishery Management Council (Council) is required to recommend the closure of salmon fisheries within Council jurisdiction that impact the stock.

From 2001 through 2005, drought conditions in the upper Klamath Basin resulted in flow conditions in the mainstem Klamath River and tributaries representative of dry water years. As a result of the protracted drought and low flows in the mainstem Klamath River, in-river conditions allowed for the proliferation of endemic diseases, and both juvenile and adult Chinook salmon populations have experienced substantial mortality as a result of these epizootic events. The escapement of KRFC then fell below the 35,000 spawner escapement floor in 2004 and 2005.

A recent decline in ocean conditions, prolonged drought, and subsequent poor in-river conditions in 2002 and 2003, resulted in low numbers of age-3 and age-4 KRFC recruiting to the 2006 fishery. The 2006 preseason forecast of approximately 25,000 naturally spawning KRFC was close to the record low, and less than the minimum escapement of 35,000 required to allow fishing between Cape Falcon, Oregon, and Point Sur, California, (the Klamath impact area) under the Salmon FMP. A complete closure of the 2006 salmon fishery, in the Klamath impact area, was avoided through a collaborative effort by NMFS, Council, state, and tribal representatives to identify a limited fishery that would manage risks and address the conservation concerns for KRFC. NMFS issued a Temporary Rule for Emergency Action to implement very restrictive 2006 annual management measures for the west coast ocean salmon fisheries. These regulations close a majority of the commercial fisheries from Cape Falcon, Oregon, to Point Sur, California, from May 1 to August 31, 2006. As a result of the factors described above, the commercial salmon fishery and the shore-based support sector are enduring severe economic hardship this year in this significant part of the west coast (see Table 1 below). Accordingly, the scope of the Fishery Resource Disaster consideration includes this entire 700 mile stretch of coastline from Cape Falcon to Point Sur.

Table 1. Season Revenue (Ex-vessel) Compared to Historical Information from State Data

Management Area	2006	2001-2005 Average	High	Low
Oregon (South of Cape Falcon)	$1,240,000	$7,393,000	$10,090,000 (2004)	$5,116,000 (2001)
California	$1,696,000	$11,519,000	$18,383,000 (2004)	$5,225,000 (2001)
Total	*$2,936,000*	*$18,912,000*	*$28,473,000 (2004)*	*$10,341,000 (2001)*

The season restrictions reduced the fishing opportunity in the Klamath impact area by 71% from recent years. Due to weather and other factors, the actual number of fishing days by vessels has been even lower than expected. Based on information obtained from the States of Oregon and California, catch of salmon in this area will decrease by 88% this season from the recent years' average. Although the price per pound has been higher due to the limited supply, the resulting ex-vessel revenue this season will still drop by roughly 84% compared to the recent years' average.

In light of the foregoing facts, I find the economic losses in the commercial salmon fishery off Oregon and California caused by the low abundance of KRFC between Cape Falcon, Oregon, and Point Sur, California, in 2006 constitute a Commercial Fishery Failure due to a Fishery Resource Disaster. I find further this Fishery Resource Disaster is due primarily to natural causes, including drought, disease, and poor ocean conditions.

Therefore, I hereby declare that a Commercial Fishery Failure due to a Fishery Resource Disaster exists under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended.

Carlos M. Gutierrez
August 10, 2006