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Portland, Oregon  
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Pacific Fishery Management Council

Oral Testimony

Salmon Management

**Agenda Item E.8** (Salmon Management -- Further Direction on 2023 Management Measures)

Chair and members of the Council:

My name is Brian McLachlan, I live in Portland, Oregon, and I fish primarily out of the Port of Garibaldi, Oregon.

Thank you for the opportunity to provide additional comments regarding proposed 2023 salmon management measures.

As I stated before, I support regulations, restrictions, and even complete closures of recreational fisheries when necessary for conservation. I do not, however, support closing or otherwise restricting recreational fisheries when there are no meaningful biological reasons to do so.

As detailed in my prior comments, I simply do not see any meaningful biological reason, nor any reason based on the Pacific Salmon Fishery Management Plan (FMP) or Magnuson-Stevens Act (MSA) to close or otherwise restrict the Cape Falcon to Humbug Mountain recreational salmon fishery during the period from March 15 to June 16.

I am troubled by NMFS' in-season action to close the area from March 15 to May 15, and I am concerned also that the proposed 2023 Ocean Salmon Management Measures for Tentative Adoption as currently constituted are inconsistent with the FMP and MSA because they leave the Falcon to Humbug area closed to recreational salmon angling from May 16 to June 16 – again, with no rational biological need to do so.

I will admit that, try as I have, even after speaking with an ODFW manager, I'm still perplexed with how the STT reports impacts, exploitation rates, and harvest for Klamath River fall Chinook. The control rule indicates a 10% maximum exploitation rate, up to half of which goes to Tribal fisheries. Are the total 10% and non-tribal 5% shares being fully or near fully utilized as the STT report seems to indicate? Under the tentative measures, what are the total expected impacts, harvests, and exploitation rates to (1) the total run and (2) the expected natural area spawners broken out by ocean fisheries (recreational and commercial), Tribal fisheries, and in-river recreational fisheries? Do the reported expected 137 ocean impacts count against the total run abundance estimate or just natural area spawners, and what share of the allowable 10% exploitation rate does that figure represent?

In any event, I am concerned the proposed tentative measures may be inconsistent with:

1. MSA National Standard 1 (mandate to achieve optimum yield);

2. 50 CFR 660.408 (g) (implicit objective to maximize the length of the recreational fishing seasons consistent with the allowable level of harvest);
3. 50 CFR 660.408 (i)(3) (directive to, if feasible, have recreational seasons encompass Memorial Day weekend);
4. FMP § 6.3(g) (directive that recreational fishing seasons will be set to be as long as practicable, including Memorial Day weekend if feasible, consistent with the allowable level of harvest);
5. FMP § 2.2 (implementation objective to seek, to the greatest practical extent, to fulfill the plans harvest objectives); and,
6. FMP § 5.1.3 (objective to “[m]aintain ocean salmon fishing seasons supporting the continuance of established recreational and commercial fisheries . . .”).

As I previously testified, I also have concerns about NEPA compliance.

Based on Preseason Report II, Tables A-2 and A-4, it appears to me a Falcon to Humbug recreational open season from May 16 to June 16 would be expected to result in only 2 KRFC impacts, and under 40 SRFC impacts. I don’t understand why 2 KRFC impacts would provide a rational basis to keep the area closed. It also appears that 40 additional SRFC impacts would be reasonable given the available allowable impacts and allowable exploitation rate under the control rule as reported in the latest STT report.

As you know, the applicable control rules reflect the best available science and “are used to manage the harvest of stocks to achieve optimum yield while preventing overfishing. Control rules specify the allowable harvest of stocks based on their abundance and are predicated on meeting conservation objectives . . .” FMP § 3.3.

The crux of my concern is that our usual open recreational salmon fishery during May and June in the Falcon to Humbug area would incur minimal impacts, and it appears there are sufficient allowable harvest impacts available and remaining to accommodate such a fishery in compliance with the above referenced mandates and objectives.

Again, thank you for your time and consideration.

Regards,

Brian McLachlan