

The Honorable Ted Kulongoski  
Governor of Oregon  
254 State Capitol Building  
Salem, OR 97310

11 April 2005

RE: Disaster Declaration for 2005 Oregon Salmon Fisheries

Dear Governor Kulongoski:

The Pacific Coast Federation of Fishermen's Associations (PCFFA), representing working men and women in the west coast commercial fishing fleet, respectfully requests your declaration of a disaster for the 2005 Oregon salmon fishery. On 8 April, the Pacific Fishery Management Council recommended the most severe restrictions in recent history, if ever, on the ocean salmon fisheries offshore both California and Oregon. This recommendation to the Department of Commerce was in response to depleted runs of Klamath salmon stocks culminating from the major fish kills that occurred in that river system in 2002. The California Fish & Game Commission has been forced to impose a drastically reduced in-river recreational fishing season on the Klamath, and the three Tribes that depend on salmon in that river system – the Yurok, Hupa and Karuk – are not even expected to meet their minimal subsistence needs for this year. Similar restrictions will apply to the southern and central Oregon coastline, adversely affecting many fishing-dependent Oregon communities.

Your declaration of a disaster is the first step needed in pursuing a federal disaster declaration that will allow the affected individuals and businesses to access at least some federal disaster relief programs. We are making the same request to Governor Schwarzenegger of California. We urge the States of California and Oregon to work together for this disaster relief and the development of short and long-term solutions for the Klamath outlined below.

The irony in requesting this disaster declaration is that most other salmon populations along the west coast have increased in recent years due to some improvements in in-river habitat and flow conditions and good oceanic conditions. For example, the Sacramento, part of the California Central Valley river system, which accounts for over 90 percent of the salmon harvested offshore California and an estimated 70 percent or more of Oregon's ocean salmon

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catch, is predicted this year to have the best run since the federal dams were constructed in the Central Valley in the 1940's. Klamath constraints now make most of those fish unavailable.

Because ocean fishermen will be greatly restricted this year, the potential loss to the two states just from the commercial fishing fleet, given the expected magnitude of the Sacramento River production, could well exceed \$100 million. That, of course, will depend on where the fish are during the season and their availability. Given their historic migration patterns and expected warm water conditions, the situation does not look good. The situation for the ocean salmon fishery, including processors and their supporting businesses, in ports such as Fort Bragg, California and north to at least Florence, Oregon is a disaster, as it will be for businesses, fishing guides and others on the Klamath River and for the Tribes.

At least twice before the salmon fisheries of the west coast have been declared a disaster, once following the seven year drought of the late 1980's and early 1990's and an earlier one following the severe El Niño of 1982-83.

In addition to a disaster declaration we ask that you order the appropriate state agencies to assist us by adopting a nine-point action plan to:

1. Take appropriate steps to ensure the survival of downstream migrating juvenile salmon this spring and, if necessary, next spring, including trapping and trucking the fish, if flows are insufficient, on a one-time emergency basis to minimize mortality in the river due to disease brought on by low flow and high water temperature conditions.
2. Radio tag downstream migrating stocks for the purpose of monitoring the fish in-river and while at sea to track their migration to allow, among other things, for fishery management to better direct the fleet in order to avoid the take of Klamath-origin stocks, while still allowing to the maximum extent possible the catch of abundant salmon runs.
3. Develop test fisheries in the area from Point Reyes north to the southern Oregon coast that will allow managers to better determine when Klamath stocks are present and under what types of fishing conditions those fish may be avoided.
4. Protect returning adult spawners to the Klamath River by assuring there will be adequate flows for the survival and spawning of these fish or, if insufficient flows are not available because of drought conditions, other extraordinary steps be taken to assure the successful spawning of these fish. It should be noted the Pacific Fishery Management Council voted to not reduce the minimum number of adult natural spawners (the "floor") for this year, even though it meant even greater restrictions on fishing than otherwise would have had to be imposed. We do not disagree with this decision so long as all efforts are made to protect those natural spawners when they return. The tragedy would be if the fisheries made this sacrifice only to have the fish die when they entered the river because flow conditions were insufficient or other actions were not taken to assure the survival of these

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fish, which had escaped the fishery, and their progeny. Oregon's coastal salmon fisheries are tied directly to salmon survival in the Klamath River, and that in turn is controlled by water flows allowed to remain in the Klamath River by the Bureau of Reclamation. Over-use of water throughout the Upper Klamath Basin has caused this fisheries disaster, and only more water put back into the Klamath River will help avoid similar problems in the future. While the current "water bank" helps, it is an expensive and temporary fix, not a permanent solution to massive water over-appropriation.

5. Explore the feasibility of providing access to the fishing fleet of the record number of Sacramento chinook salmon expected to return to the river this fall. We believe some form of "terminal" fishery outside the Klamath Management Zone (KMZ) should be explored that would help prevent a massive over-escapement to the Sacramento River and could help to provide some financial relief to the commercial fishing fleet as well as for some of the affected recreational fisheries and Tribal subsistence needs.
6. Work with the Governor of California and members of the two state's Congressional delegations in the development of programs to reduce existing out-of-stream water demands in the Klamath Basin, including purchase of water rights from willing sellers, and increasing water efficiency and storage in the basin, including assistance to farmers and ranchers as may be needed.
7. Request the State of Oregon Water Resources Department place an immediate moratorium on issuing any new water appropriations from the Klamath Basin until the flow needs for fish are established and aquifer depletion studies have been completed. Since June of 2002, the Oregon Water Resources Department has issued more than 90 new water diversion permits allowing total diversions of more than 300 cubic feet per second (cfs) in a basin that is already suffering from serious over-allocation and aquifer depletion, and has 21 applications now pending, including one for a whopping 149,288 acre-feet of additional diversions. It makes no sense to continue to issue water permits in a basin already in water crisis, and now suffering from serious drought.
8. Encourage state agencies to pursue efforts to change the operations of the old PacificCorp hydropower dams, that have exacerbated the poor water quality conditions in the Klamath River, including the serious consideration of dam decommissioning, in order to improve fish flow and passage conditions on the mainstem Klamath River and providing access to hundreds of stream miles of spawning and rearing habitat now blocked by dams.
9. Continue funding and implementing the recommendations made in the state's TMDL programs and Agricultural Water Quality Management Plans for the Upper Klamath Basin, and continue efforts to develop additional TMDLs to deal with problems not yet addressed. These programs will go a long way toward improving the water quality problems of the entire Klamath Basin. At present the Klamath River, Upper Klamath Lake and the Sprague and Williamson Rivers are the most polluted river systems in

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Oregon. These problems need to be dealt with, and water quality improvements will provide a great benefit to every stakeholder.

We appreciate the leadership you have demonstrated in the development of salmon recovery plans for Oregon and ask now for your leadership in helping our state's beleaguered coastal salmon fisheries and the decimated salmon stocks of the Klamath Basin.

If you or your staff have any questions regarding this request for a disaster declaration or any further detail on the proposed nine-point action plan outlined above, please do not hesitate to contact me. Thank you.

Sincerely,

Glen H. Spain  
Northwest Regional Director  
For PCFFA

Attachments: 14 July 2004 Letter to the President  
9 September 2004 Letter to the Pacific Fishery Management Council  
10 March 2005 Letter to the Pacific Fishery Management Council  
9 April 2005 Letter to California Governor Arnold Schwarzenegger

cc: The Honorable Arnold Schwarzenegger, Governor of California  
The Honorable Barbara Boxer  
The Honorable Dianne Feinstein  
The Honorable Gordon Smith  
The Honorable Ron Wyden  
The Honorable Nancy Pelosi  
The Honorable Mike Thompson  
The Honorable Peter DeFazio  
The Honorable Earl Blumenauer  
The Honorable Darlene Hooley  
The Honorable David Wu  
The Honorable Greg Walden  
The Honorable Lynn Woolsey  
The Honorable George Miller  
The Honorable Anna Eshoo  
The Honorable Sam Farr  
The Honorable Lois Capps  
Dr. William Hogarth, NOAA Assistant Administrator for Fisheries  
Pacific Fishery Management Council  
Oregon Fish & Wildlife Commission  
Oregon Environmental Quality Commission  
Oregon Water Resources Commission