



Declaration Concerning the Klamath River Fall Chinook Salmon Fishery

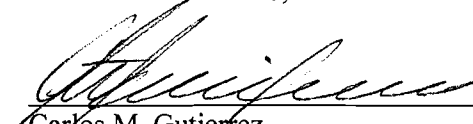
Klamath River fall Chinook (KRFC) are one of several key stocks used by the National Oceanic and Atmospheric Administration (NOAA) to manage the mixed stock ocean fishery off the Pacific Coast, in which salmon from different rivers of origin co-mingle in ocean waters and are harvested together. The conservation objective for KRFC established under the Pacific Coast Salmon Fishery Management Plan requires a return of 33-34 percent of potential adult natural spawners to the Klamath River, but no fewer than 35,000 naturally spawning adults, in any one year. Under the Salmon Fishery Management Plan, 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) must recommend the closure of salmon fisheries within its jurisdiction that affect KRFC. For the 2006 season, complete closure was avoided through a collaborative effort by NOAA, Council, state and tribal representatives to identify a scientific basis to allow a limited fishing season and issue an emergency rule to temporarily change the Fishery Management Plan requirement.

From 2001 through 2005, drought conditions in the upper Klamath Basin resulted in very low flow conditions in the mainstem Klamath River and tributaries. As a result of the protracted drought, 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 prevalence of sick and dead salmonids in the mainstem Klamath River has increased since the 1990s. In late June of 2002, large numbers of visibly sick and dead juvenile Chinook salmon were observed in downstream migrant traps on the mainstem Klamath River, prompting a U.S. Fish and Wildlife Service analysis of the prevalence of fish disease from populations of juvenile Chinook salmon captured in locations throughout the Klamath River. The escapement of KRFC fell below the 35,000 spawner escapement floor in 2004 and 2005.

A recent decline in ocean conditions and the drought, and subsequent poor in-river conditions, resulted in poor recruitment of the Klamath Basin fall Chinook Salmon 2002 and 2003 brood-years as age-4 and age-3 fish to the 2006 fishery. Forecasts on run sizes of salmon populations on the West Coast indicate there will be approximately 25,000 natural spawning KRFC returning to the river absent any further ocean salmon fishing in 2006. This spawning return is one of the lowest in many years, and below the spawning escapement floor of 35,000 required to allow a fishing season under the Pacific Coast Salmon Fishery Management Plan. As a result of the low spawning return, NOAA - consistent with the recommendation of the Pacific Fishery Management Council's recommendation - issued a Temporary Rule for Emergency Action to close a majority of the fisheries off of Oregon and California from May 1, 2006 to August 31, 2006 due to low run sizes of salmon populations. The affected fishery is the commercial ocean salmon fishery between Cape Falcon, Oregon and Point Sur, California, a stretch of coastline extending approximately 700 miles.

In light of the foregoing facts, I find the low abundance of Klamath River fall Chinook between Cape Falcon, Oregon and Point Sur, California in 2006 constitutes a fishery resource disaster. I find further this fishery resource disaster is due primarily to natural causes, including drought and poor ocean conditions.

Therefore, I hereby declare that a fishery resource disaster exists under section 308(b) of Interjurisdictional Fisheries Act of 1986, as amended.



Carlos M. Gutierrez
Secretary of Commerce
July 6, 2006