

## Agenda Item Summary

### BACKGROUND

The Conservation Plan for Fall Chinook Salmon in the Rogue Species Management Unit (Rogue Fall Chinook Conservation Plan) (Attachment 4) was prepared by the Oregon Department of Fish and Wildlife (ODFW) in compliance with the Native Fish Conservation Policy (NFCP) (OAR 635-007-0500, *et. seq.*). The purpose of this conservation plan is to ensure the continued viability of the Rogue Fall Chinook Salmon Species Management Unit (SMU), and to achieve a desired status that will provide significant ecological, economic and cultural benefits for all Oregonians. As such, the plan interfaces directly with the 1997 Oregon Plan for Salmon and Watersheds. The plan is designed to improve the status of the SMU by managing fall Chinook salmon, and their habitat, so as to attain a quantitative level of desired status. The plan describes commitments by the State of Oregon that will conserve the sustainability of this SMU and will restore biological attributes necessary to achieve a science-based, socially established, desired status goal.

Work to develop this Conservation Plan formally began in January of 2009. The plan was developed during an iterative process by considering input, discussion, review, and recommendations from a public advisory group and review comments received related to a technical review draft distributed in 2011.

The final draft of the Rogue Fall Chinook Conservation Plan is now being presented for review and adoption by the Commission. Staff asks that the Commission (1) for each stratum, formally select one of the alternative suites of management strategies outlined in the final Rogue Fall Chinook Conservation Plan and (2) adopt the final version of the Conservation Plan and accompanying Oregon Administrative Rules (Attachment 5); as called for in the Native Fish Conservation Policy.

The NFCP employs conservation plans to identify and implement appropriate strategies and actions necessary to restore native fish in Oregon to levels that provide benefits to the citizens of the state. Primary steps in plan development followed a sequential process:

1. Define the management unit (SMU).
2. Determine current status.
3. Define a desired status.
4. Determine any gap between current and desired status, and identify the primary factors responsible for the gap (limiting factors).
5. Identify strategies and actions that address the primary limiting factors.
6. Develop criteria needed to guide any adjustments to the plan.
7. Develop methods to monitor and evaluate SMU status.

#### **SMU designation and Current Status**

The SMU for Rogue fall Chinook salmon includes that area of coastal Oregon south of Elk River (near Port Orford). Based on differences in genetic attributes and genetic-based life history attributes, fall Chinook salmon (CHF) populations were assigned to one of two strata: the Rogue Stratum or the Coastal Stratum. There are five independent CHF populations in the Rogue Stratum (Upper Rogue, Middle Rogue, Lower Rogue, Applegate, and Illinois) and four independent CHF populations (Chetco, Winchuck, Pistol, and Hunter) in the Coastal Stratum. Staff

developed a specific proposal for each of the two strata with several options to choose between.

All of the distinct populations in the SMU are viable and exhibit a very low extinction risk. Population sizes in the coastal stratum are likely lower than historical, pre-development conditions. In contrast, contrary to many salmon populations in the Pacific Northwest, fall Chinook salmon populations in the Rogue stratum now appear to be more abundant than prior to the late 1800s. These populations have increased significantly as a result of fishery enhancement flows originating from two large federal reservoirs. However, populations in the Rogue River Basin will decrease in abundance as more reservoir storage is purchased for consumptive uses in future years.

For the last ten complete brood years, the SMU annually produced an average of 124,000 age 3-6 naturally produced recruits (potential spawners). The Rogue Stratum accounted for 113,000 fish while the Coastal Stratum accounted for the other 11,000 fish. During the last ten years, hatchery fish composed an average of less than 2% of the fall Chinook salmon that naturally spawned within the SMU. Hatchery fish composed less than 1% of the natural spawners in the Rogue Stratum and 9% of the fish that spawned naturally in the Coastal Stratum.

### **Desired Status and Measurable Criteria**

This conservation plan describes a desired status for future condition and performance of the Rogue Fall Chinook Salmon SMU. The desired status statement evolved during protracted discussions with the advisory committees, and represents a science-based product that has a reasonable chance of attainment. Within the desired status statement, there are six elements that relate to abundance, migration timing, life history, distribution, persistence, and spawner composition. These elements are measurable criteria that will be monitored to determine if and when the desired status goal has been achieved.

### **Primary Factors that Currently Limit Attainment of Desired Status**

There are some disparities between current and desired status for populations in the Coastal Stratum. Assessments of available data indicate there are five primary limiting factors that can be managed to some degree. These factors are: (1) volume of juvenile rearing habitat in streams and estuaries, (2) water temperature in streams and in the estuaries during summer, (3) habitat quality in the estuaries during summer, (4) brood harvest rates that sometimes exceed maximum sustained yield, and (5) periodic low spawning escapements that follow poor ocean conditions.

In contrast, there are currently no gaps between current and desired status for populations in the Rogue Stratum. Assessments of available data indicate there are five primary limiting factors that can be managed to maintain desired status: (1) water temperature of the Rogue River in summer during adult migration, (2) water temperature of the Rogue River in summer during juvenile rearing, (3) the intensity of peak flows during egg and sac-fry incubation in the gravel, (4) brood harvest rates that sometimes exceed maximum sustained yield, and (5) periodic low spawning escapements that follow poor ocean conditions.

## **Management Strategies and Actions Directed at Primary Limiting Factors**

Multiple alternative suites of management strategies were crafted for both the Rogue and Coastal strata with the specific intent of managing fall Chinook salmon, and their habitat, so as to attain (or maintain) desired status within two or three fish generations.

The Commission can choose the suites of management strategies to be embedded in Oregon Administrative Rule after commission adoption of the plan. These alternatives are described in greater detail in the draft plan, Attachment 4, beginning on page 117. The plan does not propose new land-use regulations and continues support for non-regulatory cooperative conservation, complementing the Oregon Plan for Salmon and Watersheds, which supports efforts to improve habitat for fish and wildlife species through on-the-ground, non-regulatory work by community-based entities and individuals.

### **Key Conservation Commitments**

- **Desired status statement.** This conservation plan establishes policy regarding the desired status of distinct populations, both population strata, and the SMU as a whole. The criteria embedded in the desired status statement are significant because the criteria are measurable metrics that will be used to track status of distinct populations, individual strata, and the entire SMU.
- **Conservation status statement.** This conservation plan establishes policy regarding potential situations indicative of significant deterioration in the status of the distinct populations. The measurable criteria embedded in the conservation status statement guide management changes when additional conservation measures are warranted.
- **Structured approach to management.** This conservation plan identifies the primary factors that should be addressed to achieve (or maintain) desired status, and outlines strategies designed to minimize the negative effects of those factors that can be managed.
- **Implementation of management strategies.** This conservation plan outlines practical actions designed to directly address primary limiting factors and are also designed to more effectively manage harvest.
- **Monitoring, evaluation, and research.** This conservation plan identifies (1) monitoring needed to track population status, (2) evaluations needed to assess the efficacy of management actions, and (3) research projects needed to directly assess the efficacy of key management strategies.
- **Accountability.** This conservation plan establishes policy regarding management strategies to be employed by ODFW. The plan also establishes policy regarding annual and long-term reports to be developed to document SMU status, changes in management actions, departures from the plan, and evaluations necessary for adaptive management.
- **Adaptive management.** This conservation plan establishes policy regarding adaptive management. New findings resulting from monitoring, evaluations, and research can be used to modify the management actions embedded in the plan, or revise management strategies after additional public input.
- **Cooperation among management agencies.** This conservation plan calls for ODFW to work closely with other governmental agencies.

## PUBLIC INVOLVEMENT

A public advisory committee was recruited to aid ODFW with development of the Conservation Plan. The nine individuals who committed to serve as team members represented recreational and commercial fishing interests. The advisory committee met 22 times during the course of plan development.

A technical and co-manager review draft of the Conservation Plan was released for review on July 8, 2011. Written comments were subsequently received from Dr. David Hankin, the Independent Multidisciplinary Science Team (IMST), and Oregon Department of Environmental Quality (ODEQ). Written comments received on the technical and co-managers review draft, and ODFW responses to those comments, are presented in Attachment 6.

A draft of the Conservation Plan was released on May 8, 2012 for public review and comment; and public meetings were held in Grants Pass and Brookings on June 5 and 7, 2012 respectively, to convey key elements of the draft plan and to accept public comment. Written comments were accepted through June 30, 2012.

Twelve letters were received from the public regarding the draft plan. Comments requesting a reduced spawner composition goal for the Chetco population were most common (10). Followed by requests to increase habitat protection/monitoring (5), opposition to cormorant hazing, embedded in Rogue Stratum Alternative 5 (2), support for Rogue Stratum Alternative 4 (1), support for improved biological monitoring (1), request to assess impacts to Rogue coho (1), support for Coastal Stratum Alternative 5 (1), support for Coastal Stratum Alternative 6 (1), request to reduce spawner composition goal for the lower Rogue population (1), request to maintain consumptive Chinook fisheries (1), request to revise Illinois River Chinook regulations (1), support for the conservation plan (1). Written comments received on the public draft, and ODFW responses, are presented in Attachment 7.

The final draft of the Rogue Fall Chinook Conservation Plan was posted on the ODFW website on October 1, 2012 for public review. Members of the Advisory Committee were notified that the final draft was available for review. Public correspondence received since October 1, 2012 are included in Attachment 8.

## ISSUE 1

SELECT ONE OF THE ALTERNATIVE SUITES OF MANAGEMENT STRATEGIES FOR THE ROGUE STRATUM OUTLINED IN THE ROGUE FALL CHINOOK CONSERVATION PLAN AS A COMMISSION PREFERENCE

## ANALYSIS

Five alternative suites of management strategies were crafted for the Rogue stratum with the specific intent of managing fall Chinook salmon, and their habitat, so as to maintain desired status within two or three fish generations. Those strategies are described with more specificity on pages 118 through 125 of the Conservation Plan. The alternatives differ significantly, but many commonalities also exist. All the alternatives describe potential management actions directed at (1) restoration, maintenance, and enhancement of critical habitat features, (2) fishery

management strategies, and (3) management of hatchery fish. For the Rogue Stratum, only two alternatives are preferred by members of the public advisory committee. Alternative 4 is preferred by a minority of the committee members and by the Oregon Department of Fish and Wildlife (ODFW), while Alternative 5 is preferred by a majority of the committee members. While these two alternative suites of management strategies are very similar, they differ with respect to whether pinniped harassment and cormorant hazing should be included in the strategy as a way to decrease predation. Alternative 5 commits ODFW to (1) continuous support of pinniped harassment and (2) initiate a program to decrease cormorant densities. While these are useful activities, and ODFW expects to continue these efforts, fundamentally, inclusion of them into the rule would commit resources to management actions that do not address primary factors that could possibly limit attainment of Desired Status. For this reason, staff prefers and recommends the Commission adopt Alternative 4, as described on pages 119 through 124 of the draft Conservation Plan.

**OPTIONS**

Option 1. Select Alternative 4 as the preferred suite of management strategies.

Option 2. Select Alternative 5 as the preferred suite of management strategies.

Option 3. Select a modification of either Alternative 4 or 5.

**STAFF  
RECOMMENDATION**

Option 1.

<b>DRAFT MOTION</b>	I move to select Alternative 4 in the final draft of the Rogue Fall Chinook Conservation Plan as the suite of management strategies preferred by the Oregon Fish and Wildlife Commission for the Rogue Stratum.
<b>EFFECTIVE DATE</b>	Immediately.

**ISSUE 2**

**SELECT ONE OF THE ALTERNATIVE SUITES OF MANAGEMENT STRATEGIES FOR THE COASTAL STRATUM OUTLINED IN THE ROGUE FALL CHINOOK CONSERVATION PLAN AS A COMMISSION PREFERENCE**

**ANALYSIS**

Six alternative suites of management strategies were crafted for the Coastal stratum with the specific intent of managing fall Chinook salmon, and their habitat, so as to attain (or maintain) desired status within two or three fish generations. These alternatives are described on pages 125 through 133 of Attachment 4. The alternatives differ significantly, but many commonalities also exist. All the alternatives describe potential management actions directed at (1) restoration, maintenance, and enhancement of critical habitat features, (2) fishery management

strategies, and (3) management of hatchery fish.

For the Coastal Stratum, only two alternatives are preferred by members of the public advisory committee. Alternative 5 is preferred by a majority of the public advisory committee and by ODFW, while Alternative 6 is preferred by a minority of the public advisory committee. These two alternative suites of management strategies are very similar but only Alternative 5 calls for ODFW to reduce hatchery fish releases in the Chetco River if levels of stray hatchery spawners exceed desired levels in the Winchuck population area. Only Alternative 6 calls for ODFW to pursue modification of partial natural migration barriers.

ODFW prefers Alternative 5 as described more specifically on pages 127 through 132 of the draft conservation plan because while both alternatives have a similar likelihood of achieving the desired status within a reasonable time frame, removal of even partial natural barriers could have potentially negative impacts on other native species of fish.

## OPTIONS

Option 1. Select Alternative 5 as the preferred suite of management strategies.

Option 2. Select Alternative 6 as the preferred suite of management strategies.

Option 3. Select a modification of either Alternative 5 or 6.

## STAFF RECOMMENDATION

Option 1.

DRAFT MOTION	I move to select Alternative 5 in the final draft of the Rogue Fall Chinook Conservation Plan as the suite of management strategies preferred by the Oregon Fish and Wildlife Commission for the Coastal Stratum.
EFFECTIVE DATE	Immediately.

## ISSUE 3

ADOPT THE KEY PRINCIPLE OUTLINED IN THE ROGUE FALL CHINOOK CONSERVATION PLAN (INCLUDING THE COMMISSION APPROVED SUITE OF MANAGEMENT STRATEGIES) AND ADMINISTRATIVE RULES SPECIFIC TO THE REQUIREMENTS OF THE NATIVE FISH CONSERVATION POLICY AND ODFW'S IMPLEMENTATION OF THE ROGUE FALL CHINOOK CONSERVATION PLAN

## ANALYSIS

The Rogue Fall Chinook Conservation Plan was crafted following the guidance outlined in the Native Fish Conservation Policy of ODFW. Successive drafts of the Rogue Fall Chinook Conservation Plan have been revised to address issues raised by the public, scientific reviewers, and governmental agencies engaged in the management of natural resources

in the Rogue River and South Coast basins. ODFW believes that the final draft of the Rogue Fall Chinook Conservation Plan (Attachment 4), modified to include the Commission's preferences for management strategies, is ready for adoption by the Commission.

The proposed Administrative Rule options (Attachment 5) were developed to guide implementation of the plan by ODFW and to ensure consistency with the Native Fish Conservation Policy. The proposed administrative rules are marked to show where the policy choices the Commission makes on the two issues above are reflected in rule language to accomplish those policy goals.

**OPTIONS**

Option 1. Adopt the Rogue Fall Chinook Conservation Plan and the Oregon Administrative Rule related to ODFW's implementation of the plan.

Option 2. Adopt the Rogue Fall Chinook Conservation Plan and the Oregon Administrative Rule related to ODFW's implementation of the plan with modifications.

**STAFF  
RECOMMENDATION**

Option 1.

<b>DRAFT MOTION</b>	I move to adopt the final draft of the Rogue Fall Chinook Conservation Plan, including the Oregon Fish and Wildlife Commission's preferred suites of management strategies, and the Oregon Administrative Rule OAR 635-500-6650 as proposed by staff in Attachment 5.
<b>EFFECTIVE DATE</b>	Upon filing.