

Attachment 1

Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

	Name of Commenter	Type/Date	Summary of Comments	Response
1	Steve Huber, fishing guide	oral and written comment at Commission 12/11/13 meeting	<p>a. Requests the projected Klamath forecast be adjusted downward to increase resource protection.</p> <p>b. Request a fishing closure of the spit area after 15 percent of the Lower Klamath River subquota is taken downstream of the Highway 101 Bridge.</p> <p>c. Requests the spit area close to all shore based anglers once the quota is reached.</p> <p>d. Requests to have fish samplers and wardens on the spit area every day.</p> <p>e. Requests the bag limit be set at 2 adults and one jack regardless of the projections.</p>	<p>a. This request is outside the scope of the proposed regulations. The projected forecast is made by the PFMC.</p> <p>b. Support of Option 2 noted. The Commission did not adopt Option 2. The Commission adopted Option 1 to achieve a balance between maintaining historical fishing opportunities for shore-based anglers and increasing protection for salmon migrating out of the ocean into the Klamath River estuary</p> <p>c. The Commission does not support excluding a specific user group but acknowledges that the majority of spit fishermen are shore based anglers. The Commission adopted Option 1 which will close the spit area to all fishing after 15 percent of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.</p> <p>d. This comment is outside the scope of the proposed regulations.</p>

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				e. Reject. This recommendation is unnecessarily restrictive. The Commission adopted a daily bag limit of 3 Chinook salmon of which no more than 1 fish over 22" in length may be taken when the take of adult salmon is allowed in order to maximize sport fishing opportunities to the extent supported by science.
2	Darrell Cardiff	email dated 2/2/14	a. Supports Option 1.	a. Support noted for Option 1. The Commission adopted this Option.
3	Dave Hillemeier, Yurok Tribe	oral and written comment at Commission 2/5/14 meeting	a. Requests that catch and release fishing be prohibited in the spit area. b. Request a fishing closure at the mouth of Blue Creek	a. This recommendation is outside the scope of the proposed regulations but will be evaluated for a future rulemaking. b. This recommendation is outside the scope of the proposed regulations but will be evaluated for a future rulemaking.
4	J.D. Richey, Klamath Guide	oral comment at Commission 2/5/14 meeting	a. Supports Option 1. b. Requests that catch and release fishing be prohibited in the spit area. c. Thinks the Commission should consider the tribe's recommendation for a conservation closure at Blue Creek.	a. Support noted for Option 1. The Commission adopted this Option. b. See Response 3a. c. See Response 3c.

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5	The Department held two informational meetings on the proposed Klamath regulatory options in Eureka March 3, 2014 and Crescent City April 3, 2014.		a. The majority of the attendees support keeping the spit area open to fishing for 2014. The meeting notes are attached.	a. Comments were noted. Attendees were directed to send comments directly to the Commission.
6	Roger Gitlin, Del Norte County Supervisor	emails dated 3/4/14, 4/3/14	a. Opposed to Option 3. b. Supports status quo regulations regarding shore fishing.	a. Opposition to Option 3 noted. b. Support of the no change alternative for the spit area noted. Also see response 1b.
7	JM Berger	Email dated 3/6/14	a. Recommends closing the spit area to the guides.	a. The Commission does not support excluding a specific user group from fishing access. Also see Response 1c.
8	Kathryn Montes Morgan, Tejon Indian Tribe	letter received 3/6/14	a. Not opposed to the proposed regulations.	a. Comment noted.
9	Jerome Washington	Email, 4/2/14	a. Does not support any of the current options. b. Recommends in-season adjustments to catch limit be made if needed to protect a healthy salmon population.	a. Support of the no change alternative for the spit area noted. Also see response 1b.. b. While the Commission could take emergency action to restrict fishing opportunities in order to provide for the protection of the species, generally speaking, requirements of the Administrative Procedure Act,

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				coupled with the Fish and Game Code requirement to hold three meetings when adopting amendments to sport fishing regulations, does not provide for timely in-season adjustments of the bag limit.
10	Steve Grantham	Email, 3/28/14	a. Opposes options that limit fishing opportunity at the spit.	a. All options for the spit fishery are limited by the annual fall Chinook quota. Also see Response 1b.
11	Sean Marquis	Email, 3/21/14	a. Opposes option 3, closure of the spit fishery.	a. Comment noted. The Commission did not adopt Option 3.
12	Mike Beck	Email, 3/26/14	a. Opposes option 3. b. Eliminate tribal gill net fishery.	a. See 11 a. b. The State does not manage the tribal fishery.
13	Mike Miles	Email, 4/7/14	a. Supports uniform closures for sport and tribal gill-net fishery when necessary to protect stocks.	a. See Responses 11a. and 12b.
14	Thomas O'Rourke, Yurok Tribal Chairman	Letter dated 4/8/14	a. Close spit area to catch and release fishing. b. Implement main stem Klamath conservation closure at the mouth of Blue Creek. c. Oppose Option 3. d. Included copy of Mr. Hillemeier's written comments.	a. See Responses 3a. b. See Response 3b. c. Comment noted. The Commission did not adopt Option 3. d. See Responses 3a-3b.

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15	John Kilroy	Email, 4/7/14	a. Does not support option 3, closure of the spit.	a. Comment noted. The Commission did not adopt Option 3..
16	Don Rohrke, Randall Mason and Linda Garcia	Emails, 4/5/14, 4/6/14	a. Need more enforcement in the spit area. b. Supports current (2013) regulations for the spit area.	a. This comment is outside the scope of the proposed regulations. b. Support of the no change alternative for the spit area noted. Also see response 1b
17	Kevin Jordan, Jack Fillmer	Emails, 3/22/14, 4/6/14	a. Does not support closure of the spit (option 3).	a. Comment noted. The Commission did not adopt Option 3.
18	Kirk L. Brown, Chairman Del Norte County Fish and Game Advisory Commission.	Letter dated 4/4/14	a. Completely opposed to option 3, closure of the spit fishery. b. Not in favor of any of the options for the spit area because the quota is so low that the season will be over very quickly. c. Any closure of fishing on the Klamath River will have tremendous negative impacts on residents and small businesses.	a. Comment noted. The Commission did not adopt Option 3. b. See Response 1b. c. Comment noted. The adopted regulations are necessary for the continued preservation of the Klamath River salmon resources and therefore the long term viability of the small businesses dependent upon them.

Eureka Public Meeting Notes - Salmon Informational Meeting on Klamath Salmon Fishery March 3, 2014, Eureka, CA.

Approx 35 public attended the meeting. Three presentations lasting 90 minutes were given and public testimony taken. Season options were presented in the last segment of the meeting. Four CDFW ES personnel were in attendance, 5-6 LED personnel and 1 CDFW OCEO. Also in attendance were Executive Director of the Fish and Game commission and one Commissioner, Jacque Hostler-Carmesin.

Four options (one being the no action alternative or status quo) for seasons on the Klamath were reviewed. Key public input as follows:

Input from public:

1. "No catch and release" due to conservation concerns of loss of fish to sea lions and requested a no fishing zone around Blue Creek (similar to Salmon River and Scott River) for a thermal refugia area for salmon (Dave Hillemeier head of Yurok tribal fisheries dept...)
2. One guide, requested all fishing on spit be stopped. He saw it as all snagging- John Klar
3. One bank fisherman with his 4-6 yr old daughter present requested bank angling be preserved since it was a family history issue with him and he could not afford a boat. Salmon was also an important part of his annual diet.
4. One RV park owner at the mouth of the Klamath said that 95% of the campers visiting each year were bank and spit anglers and to close it off would deeply affect his and other merchant's income. Aaron Funt -Kamp Klamath
5. A Del Norte County Commissioner requested a meeting in Crescent City since closure would affect his community economic base. Roger Gitlin
6. One guide recommended a joint committee approach to reworking the fishing regulations- Alan Borges
7. One angler implored that DFW not to "Throw the baby out with the bathwater", in regards to the snagging issue at the spit. And to start process now to craft 2015 regulations. Ed Duggan
8. Harry Morse was stopped after the meeting by anglers who asked, why we did not make it clear that the meeting was to present four fishing options. They said if they knew we were going to present options and that the Dept. had a preferred alternative they would have gotten their buddies to come.
9. Another guide asked us to create a bag limit that does not encourage catch and release especially at mouth.
10. Tribal members – closure would punish everyone (businesses too). Recommended current option but address the catch and releases at the mouth.
11. Someone brought up the use of didson units to get a total count.

12. Eric Wiseman handed out data about the methodology used to determine the natural spawner escapement in the Trinity River.
13. Kenny Priest (guide, reporter, die hard angler) it's the type of fishing (snagging) at the mouth that upsets everyone.
14. The Department informed the audience that have engaged in discussions internally regarding catch and release fishing options/regulations in the spit area and that due to Commission regulation process timelines, OAL timelines, regulation book printing timelines and need for further discussion that the Department was not recommending adding any modifications to the options presented for the 2014 season. The Department noted that they will continue evaluating this issue for consideration in the 2015 reg cycle. Dave Hillemeir (Yurok Tribe) stated he interpreted conversation with commissioners at the prior Fish and Game Commission meeting that this could be written into this year's reg cycle.
15. The Department informed the audience that no decisions would be made today and that "official comments" on current reg options need to be sent directly to the Fish and Game Commission. Contact info for the Fish and Game Commission was provided on the agenda.
16. Received input after the meeting from Roger Gitlin that he had contacted 12-15 constituents in Crescent City area and the majority supported status quo or option 1.

Crescent City Public Informational meeting- Proposed Klamath River Sport Fishing Regulations

Date: April 3, 2014

Location: Board of Supervisors Chambers, Suite 100, Del Norte County Administrative Building, 981 H St., Crescent City, CA 95531

Time: 5:30 – 7:30 pm

As an agenda item at a Del Norte County Fish and Game Advisory Commission meeting, a presentation was made of the fundamental concepts of the Klamath basin fall Chinook quota and allocation process, and the integral regulatory processes therein to the Advisory Commission and the few public attendees. The presentation specifically highlighted the four proposed regulatory options (One, the status quo/no change, and the 3 proposed changes) for the Klamath mouth fishery; comparing and contrasting the four.

In attendance were 8 Del Norte County Commissioners, approximately 12 members of the public, 2 CDFW-LED personnel (Banko and Wertz), and Tom Weseloh (Consultant to the Legislature's Joint Commission on Fisheries and Aquaculture). The presentation was given by CDFW's Wade Sinnen, Senior EnvSpec-Supervisor, Klamath-Trinity Program, and Sara Borok, EnvSpec, and two other KT Program ESes. The presentation was introduced and facilitated by Coastal Fisheries PM Tony LaBanca.

5:30 pm – After quick of roll call of Commissioners and adoption of previous meeting minutes Chairman handed meeting to Tony LaBanca.

TLB: Introduction of CDFW staff and purpose for presentation

(Throughout the meeting the attendees were reminded of need for written comment, with contact information/CA Fish and Game Commission timeline and address location reiterated).

Sara Borok gave an overview of history of the Lower Klamath recreational/sport fishery, definition of Areas 1 and 2 within the creel survey, simplified version of development of quotas/allocation of fisheries, and information about the Klamath River mouth movement and implications there of (south running mouth means more area for shore anglers, more angler effort downstream of Highway 101, but seldom occurs etc.). Also explained some of the issues with 2013 regulations as they related specifically the anticipated run-size, and how the reality of the situation with the south mouth compounded problems with catch and release fishing and 3 adult/1 jack bag.

Wade Sinnen then gave an overview of salmon escapement, maximum sustained yield, stock predictions and all the things that go into forming the regulations (and how it is the

F&G Commission that has the authority to make the regulations). Explained three proposed options (plus status quo) for Area 1/the mouth/ below Hwy 101 bridge. County commission member requested tribal net harvest numbers. It was explained by Wade we do not have regulatory authority over tribal harvest.

Mr. Ed Salsedo (Klamath business owner, PO Box 276, Orick, CA 95555) had many questions as to the origin of the Authority to regulate the fishery; does not acknowledge the sovereignty of the Yurok nation; does not understand why we cannot regulate tribal harvest; and states if we have no authority to regulate the tribal fishery he questions all of CA F&G Commission authority. He states that promulgating regulations outside the CEQA process and without notifying the Coastal Commission is unlawful, and that closing the mouth will have a very detrimental effect on the businesses of Klamath. He requested a copy of the MOU between the Yurok tribe and the State of California that lays out the joint-management of the lower Klamath River fishery (which he sees as a single fishery) and expressed a disbelief that any of what was being proposed was legal, or properly noticed. VERY CONCERNED about economic impact of a reduced quota (VERY MUCH AGAINST TOTAL MOUTH CLOSURE) and doesn't believe the quotas are appropriate because he believes our numbers are always off. Feels unequal treatment of tribal and non-tribal citizens

Both Wade Sinnen and Lt. Banko attempted to explain what documents gave F&G Commission authority. Wade reiterated the difficulty of modeling population estimates and the dynamic nature of the management decisions that come out of them. Explained again the allocation, naming all of the user groups, etc (ocean fishery, up river fishery, tribal etc).

Wade then answered a few clarifying questions, not only from Mr. Salsedo, but other anonymous public attendees, including some about timing of the quota, what sorts of things change the size of the quota/population [(freshwater and marine survival (largest factor for any cohort is ocean productivity when smolts hit ocean in spring/summer), upwelling (windy cold springs higher productivity, el Niño conditions lower productivity) etc.] Jacks are first indication of ocean conditions for each cohort.

Reiterated the process for submitting comment to the F&G Commission.

Quick recap of options (including status quo and preferred option). Contact: CA Fish and Game Commission using one of the following methods: by email- fgc@fgc.ca.gov ; by fax- (916) 653-5040; by mail- Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento CA 95814; or in person at a Fish and Game Commission meeting.