

## Agenda Item Summary

### BACKGROUND

#### Purpose of Agenda Item

The purpose of this agenda item is for the Oregon Fish and Wildlife Commission (Commission) to take final public testimony and consider amendments to the Klamath River Basin Fish Management Plan to authorize initiation of efforts to re-establish anadromous fish in the Oregon portion of the Klamath River Basin. Staff is proposing that revised plan goals, policies and objectives be adopted in the form of Oregon Administrative Rules (OAR).

#### Rationale for Re-Introduction Efforts

The impetus for this re-introduction effort is the fact that the federal fishery management agencies, U.S. Fish and Wildlife Service (USFWS) and NOAA Fisheries (NOAA), have required volitional fish passage at all four mainstem Klamath River Hydroelectric Project (Project) dams owned and operated by PacifiCorp as part of the Federal Energy Regulatory Commission (FERC) relicensing process. In addition, settlement agreement negotiations have been underway in an attempt to reach an effective compromise between all stakeholders regarding future fish and water management in the Klamath River Basin. Ultimately, this settlement agreement could result in removal of all of PacifiCorp's lower mainstem Klamath River hydroelectric dams.

#### Phased Approach to Re-Introduction Efforts

This plan proposes to initiate re-introduction of anadromous fish into the Upper Klamath Basin in a two-phased approach.

In Phase 1, the Oregon Department of Fish and Wildlife (Department), the four Tribes of the Klamath River Basin, California Department of Fish and Game, U.S. Fish and Wildlife Service and NOAA Fisheries will prepare a Re-Introduction Implementation Plan for re-introduction of Chinook salmon into the Upper Klamath Lake and tributaries. The Re-Introduction Implementation Plan will:

- Serve as an administrative Appendix to the Amended Klamath River Basin Fish Management Plan
- Identify facilities and near and long term actions necessary to address key uncertainties
- Develop specific strategies for achieving the goals of re-introduction of Chinook salmon into Upper Klamath Lake and tributaries
- Develop monitoring and evaluation of re-introduction efforts, and

other investigations as appropriate to narrow uncertainties

- Identify facilities and strategies to monitor and evaluate natural re-colonization of Chinook salmon, steelhead trout, coho salmon and Pacific Lamprey into the Oregon portion of Klamath River and tributaries below Upper Klamath Lake
- Identify criteria and research protocol for determining when natural re-colonization is not occurring or is too slow and when, how and which species (salmon, steelhead trout, and/or Pacific Lamprey) the Department and the Klamath Tribes will actively re-introduce into the Oregon portion of Klamath River and tributaries downstream of Upper Klamath Lake
- Identify and address critical uncertainties necessary to complete an Anadromous Fish Conservation Plan which will direct Phase 2 Management of anadromous fish returning to the Oregon portion of the Klamath River Basin, consistent with stipulations of the Department's Native Fish Conservation Policy (OAR 635-007-0503, ODFW 2002)
- Be adaptable in order to incorporate knowledge gained from monitoring and evaluation during re-introduction efforts

Key investigations that do not require fish passage through PacifiCorp's hydropower projects on the mainstem Klamath River (e.g. stock selection, outmigrant behavior, and re-introduction methods) will begin immediately following completion of the Re-Introduction Implementation Plan.

Initially, in Phase 1, the Re-Introduction Implementation Plan will propose to introduce Chinook salmon which meet strict disease criteria into Upper Klamath Lake and tributaries. An adaptive management approach will be utilized to determine appropriate race(s) and life history of Chinook for release (spring and/or fall Chinook) with best opportunities for successful rearing, emigration to the ocean and return.

Research investigations will determine availability of stocks which meet strict disease criteria. In addition, competition and interaction with existing native stocks will be evaluated. A variety of release and rearing strategies will be utilized to optimize opportunities for success.

During Phase 1, no active intervention/movement of fish is proposed to re-establish salmon, steelhead or lamprey in the Oregon portion of Klamath River and tributaries downstream of Upper Klamath Lake.

A major assumption in Phase 1 is that acceptable upstream and downstream fish passage is provided throughout the Klamath River

corridor, either through passage facilities at PacifiCorp's hydroelectric dams which meet state and federal standards, or through dam removal.

Phase 2 Management will be initiated once an Anadromous Fish Conservation Plan is adopted by the OFWC, which will establish escapement levels of returning anadromous fish in Oregon, as well as provide policy direction to guide management of established anadromous fish populations in the Oregon portion of the Klamath River Basin. Ultimately, policy direction in the Anadromous Fish Conservation Plan will be incorporated into a comprehensive plan for fisheries management of the entire Klamath River Basin that will fulfill requirements of the Pacific Fishery Management Council.

The Anadromous Fish Conservation Plan for the Oregon portion of the Klamath River Basin will be written consistent with the stipulations of the Department's Native Fish Conservation Policy (OAR 635-007-0503, ODFW 2002).

**PUBLIC  
INVOLVEMENT**

The July 18, 2008 Commission meeting will be the second Commission meeting on this topic. The initial Commission meeting was held May 9, 2008 in La Grande, Oregon. In addition, local public meetings were held on these proposed plan amendments in Central Point on April 22, 2008, and in Klamath Falls on April 23, 2008.

**ISSUE 1**

**PROPOSED AMENDMENT TO THE KLAMATH BASIN  
FISH MANAGEMENT PLAN TO INITIATE EFFORTS TO  
RE-INTRODUCE ANADROMOUS FISH TO THE OREGON  
PORTION OF KLAMATH RIVER BASIN**

**ANALYSIS**

Updating Basin Plan Direction

When adopted in 1997 the Klamath River Basin Fish Management Plan did not provide management direction for anadromous fish because they had been extirpated from the Upper Klamath Basin since 1917 as a result of development of PacifiCorp's Klamath Hydroelectric facilities.

However, since initial adoption of the Basin Plan there have been or will be significant changes in the basin that will make re-introduction of anadromous fish possible.

In addition to restoring fish passage past PacifiCorp's mainstem dams, three Federal Agencies are working on improving fish habitat and access to available fish habitat in the upper Klamath Basin. The U.S. Bureau of Reclamation, the U.S. Natural Resources Conservation Service and the U.S. Fish and Wildlife Service have invested \$175.1 million dollars to date into various fish improvement projects in the Klamath River Basin.

It is anticipated that these efforts to improve conditions in the Klamath

Basin will continue.

Projects have included improvements of fish habitat, improved fish protection screens and adult fish ladders, and investigations into predation, water quality and disease for the benefit of the shortnose and Lost River suckers. Habitat improvements for the endangered sucker species have provided for improved conditions for all fish species including salmonids.

Oregon Fish and Wildlife Commission Action

Adoption of this plan amendment by the OFWC will result in specific endorsement of Phase 1 (through adoption of OAR's integral to this Plan Amendment) as well as agreement to re-visit how to manage future anadromous fish returning to the Oregon portion of the Klamath River Basin in an OFWC adopted Anadromous Fish Conservation Plan.

**OPTIONS**

Accept, reject or modify proposed Basin Plan amendments.

**STAFF  
RECOMMENDATION**

Amend the Klamath Basin Fish Management Plan to allow for investigations into the re-introduction of anadromous fish.

**DRAFT MOTION**

I propose we adopt OAR 635-500-3890 through 635-500-3910 as proposed by staff in Attachment 4.

**EFFECTIVE DATE**

Upon filing.