

State of California  
Department of Fish and Wildlife  
**Memorandum**

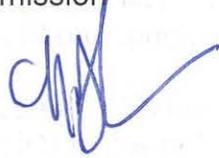
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Date: March 3, 2014

To: Sonke Mastrup  
Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director



Subject: Potential Changes to the 2014 Klamath Basin Sport Fishing Regulatory Options

The Fish and Game Commission (Commission), at its February 5, 2014 meeting, directed the California Department of Fish and Wildlife (Department) to explore and consider amendments to the 2014 sport fishing regulatory options listed in the Klamath Basin Initial Statement of Reasons. Specifically, the Commission requested the Department to address the issue of catch and release fishing at the mouth or "spit area" of the Klamath River. Their concern arose from public discussion at the February 5 meeting at which Mr. Dave Hillemeier, Fishery Program Manager for the Yurok Tribe, expressed concern that the 2013 sport fishery at the mouth of the Klamath River caused potential biological harm to the fishery resources via excessive "hook and release" mortality caused by coincident pinniped predation or environmental stress related factors.

On February 12, 2014, the Department conducted a conference call to discuss this issue. The call included managerial and biological staff from the Department's Northern Region and Fisheries Branch, Law Enforcement Division, Regulations Unit, and the Commission. The Department developed draft regulatory language to address catch and release fishing concerns at the mouth with accordant discussion on the enforceability of such language, conformity to other regulations/quotas in the Klamath Basin, potential monitoring opportunities (i.e., changes to the salmon report card), and regulatory timelines.

The group, after consideration of all the issues mentioned above, came to the consensus conclusion that the Department cannot recommend a modification to 2014 regulatory options at this time for the following reasons: First, the addition of an option to prohibit catch and release fishing would require the Commission to issue a notice of the new option at least 15 days prior to adoption. Such a notice would have to be issued after the current comment period ends on April 16, 2014. This would result in a delay of the adoption of the Klamath Basin sport fishing regulations until the Commission's next meeting on June 4, 2014. Additionally, the Office of Administrative Law has a 30 working day period after the Commission process to

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review and formally approve the regulatory package before it is codified. Thus, the addition of this option would delay codification of all Klamath Basin regulations until only days before the fall Chinook fisheries commence in the Klamath Basin, which does not allow sufficient time for publication of the regulations in the Supplemental Fishing Regulations booklet. Second, the 2014 salmon report card has already been printed (and sold), thus there is no opportunity to make any changes to reflect area changes for monitoring or enforcement purposes. Third, the Department would like more opportunity for internal discussion, public vetting, and tribal consultation.

It is the desire of the Department to pursue this issue for the 2015 Klamath Basin regulatory cycle with the goal of making a fully informed and timely recommendation to the Commission.

If you have any questions please contact Stafford Lehr, Chief of Fisheries Branch, at (916) 327-8840 or at [Stafford.Lehr@wildlife.ca.gov](mailto:Stafford.Lehr@wildlife.ca.gov).

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