Siskiyou County Water Users Association
347 N Main St.
Yreka, Ca. 96097
530 842-4400

June 18, 2012

Petition to be forwarded to the following:

U.S. Department of the Interior
U.S. Fish and Wildlife Service
Att'n: Secretary Salazar
1849 C Street, N.W.
Washington, D.C. 20240

Calif. Fish & Game
1416 9th St. 12th floor
Sacramento, CA. 95814
916 445-0411

Calif. Fish & Game Commission
1416 9th. Street, Suite 1320
Sacramento, Ca. 95814

U.S. Department of Commerce
Attention: Secretary John Bryson
1401 Constitution Ave. NW
Washington, D.C. 20230

NOAA Fisheries Service
Office of Protected Resources
1315 East West Highway
Silver Spring, MD 20910

Assistant Regional Administrator, Protected Resources Division, Attn: Rosalie del Rosario, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

FORMAL COHO SALMON DELISTING PETITION IN SONCC ESU

Statement identifying the taxon of fauna including the scientific name and any common name and a description which distinguishes it from all other taxa. The statement must also indicate whether it is a vascular or non-vascular plant, vertebrate or invertebrate animal or some other form of flora or fauna. Coho Salmon, Silver Salmon, Oncorhynchus kisutch...a salmonid which is a vertebrate fish

Known distribution of the taxon.
Occupies the entire Pacific Coastal region. This petition specifically refers to Northern California and the present listing of Coho Salmon as endangered under the California Endangered Species Act on the Klamath River and the proposed Federal ESA listing of Coho Salmon..

Known threats which may affect the taxa.
Nature--Estuarine destruction--predation--over fishing--by catch--Ocean temperature, climatic changes.

Reasons for nominating the taxon for delisting including any reference in any scientific journal or other literature dealing with the taxon.

SALEM, Ore. – The Oregon Fish and Wildlife Commission today set the upcoming coho and fall chinook salmon seasons for coastal rivers and streams.(June 8, 2012)

For the fourth year in a row, returns of coho salmon are strong enough for staff to propose opening 10 coastal rivers and one lake to the harvest of wild coho.

"As a result of restoration efforts by Oregonians and sustainable fish management, Oregon Coast coho are well on their way to recovery," "The continued wild coho fisheries mark an important milestone in the recovery of coho salmon populations along the Oregon Coast", said Chris Kern, ODFW ocean

salmon resources manager.

Yukon River Salmon Run Looks Dismal this Summer

This is a result of the Pacific temperature dropping to facilitate salmon moving South and would expect lower returns in Alaska as more salmon are spawning further South due to better temperature environment. The total Pacific Coast landings, according to NMFS data are doing well and will continue to do so as long as hatcheries and dams prevail.

This article is interesting, however, the numbers belie the reality. In 1997 the total landings in Alaska was 240,533 metric tons and in 1998 it was 283,995 metric tons. In 2010 the total was 343,293 metric tons or better than a 40% increase since 1997. With the better returns in 2011 and projected 2012 returns they are projecting great Coho and Chinook recovery in California and Oregon.

ODFW 2012 News Release
http://www.dfw.state.or.us/news/2012/June/060812.asp

Iron gate Hatchery Data

Based on data from the Iron Gate Hatchery it shows that from 1963 to 1997 there was an increase in Coho Salmon by 22.8 fold. It is apparent from these statistics that Coho Salmon in the Klamath River Basin has been on a steady increase over the last 34 years and that the listing of Coho Salmon in the Klamath River Basin has been based upon erroneous data and should be removed from the endangered or threatened listing under the California and Federal ESA. In addition to same the following data clearly indicates that National Marine Fisheries Service ignored the science that was available to them and instead relied upon "junk science". It is only the judicial appeal has once again allowed Fish & Game to not count hatchery fish.

Historical Coho sightings in California

"Coho were recorded in 1936 and 1981 from streams in northern San Francisco Bay (Marin County) (Brown and Moyle 1991)". This was most likely as a result of multiple plantings in California Rivers by Fish and Game with the earliest plantings in 1895 and 1899 followed by massive plantings in the 1960's and 1980's. "Historically, Coho were reported from streams as far south as the Santa Ynez River (Santa Barbara County) (Bryant 1994)", Once again these are most likely as a result of the massive plantings in the 1960's and 1980's in Northern California. "With respect to the San Francisco Bay, no Coho populations are known to spawn in streams emptying into the bay. Although there are no historical records indicating spawning populations on the bayside of San Mateo County, Coho were recorded in 1936 and 1981 from streams in northern San Francisco Bay (Marin County) (Brown and Moyle 1991)". Plantings of Coho in Northern California rivers in 1895, 1899 and the 1960's and 1980's are indicative of the source of these recorded sightings considering their genetic signature is that of Coho Salmon from Cascadia, Oregon.

http://www.cfses.org/salmonid/html/salmonid/population.htm
FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

Expert Panel determines Ocean and Climatic conditions for decreased runs

"It does not appear that it is resource users (timber, farming, mining,) in the mid-Klamath is the reason, but is instead Ocean and climatic conditions."

FINAL Report_Coho Salmon-Steelhead_Klamath Expert Panels_04 25 11

Quote from 2009 Water Quality Klamath TMDL scoping comment responses -

"The Regional Water Board can not establish life cycle-based water quality objectives for the

mainstem Klamath River because the DO concentrations associated with salmonid life cycle requirements **can not be met even under natural conditions**- conditions in which there are no anthropogenic influences. As such, the Regional Water Board staff has proposed water quality objectives that protect natural DO conditions from further degradation."

Historical Coho Salmon

Fish & Game cannot document that Coho Salmon were ever native to the Klamath River. Plantings were first made in the Klamath in 1895, with subsequent attempts in 1899, the 1960's and the 1980's according to historical records. After each subsequent plantings there was a rise in returning Coho for the following three years, however, without further plantings Coho levels again dropped. With perceived improved hatchery and downriver conditions as a result of Iron Gate Dam construction, 3 additional attempts at planting were made utilizing Coho imported from previously untested watersheds. 2 of the 3 attempts failed before the final trial using Coho of Cascadia origin was determined to be marginally successful. That trial planting was considered responsible for the present minimal upper midstem river returns. As a scientist, I would classify these failed plantings as an unsuccessful experiment. It is inherently contradictory to list a species as endangered based upon residual planted populations of Coho never known native to the affected River reach. In 2001 the Karuk Tribal Council stated that Coho Salmon were never indigenous to the Klamath River prior to plantings.

Analysis: By searching government documents from 1985 through 1998 the following excerpts derived from them clearly indicates that the listing of Coho Salmon by the California Endangered Species Act has no basis in Science. Primary causative factor in the decline of the Coho Salmon in Northern California Rivers can be directly attributed to Nature's whim: i.e., floods, fires, drought and **El Nino causing warmer water conditions in the Pacific.**

The 1993 NMFS Oceanic Report states that the **"El nino of 1983-1985 was responsible for devastating the Coho Salmon population off the coast of California by driving Coho Salmon North into Alaskan waters."**

Dr. John Palmisano formerly a Marine mammal biologist for NMFS in Juneau, Alaska, teaching fisheries and biology at U of Washington–an environmental scientist for a consulting firm in Bellevue, WA. (503 645-5676)) 1997: pg2. **"Coastal waters from Mexico all the way to Alaska have gradually warmed since the climate shift of the 1970s and the subsequent, periodic affects of El Nino."** "It is estimated that 40 - 80 percent of estuarine habitat along the Pacific Northwest has been diminished or destroyed". **"It is clearly not the perceived mismanagement of inland streams and rivers that has caused the recent degradation of the salmonid population".**

Understanding Coho reduction in California Waters

In an attempt to understand the movement of commercial Salmon into Alaskan waters research found that **there has been a historic rise in temperature of the Pacific Ocean** which directly correlates with the historic increased activity in the Ring of Fire volcanoes. **Since 1990 97% of all commercial Salmon in the Pacific Northwest have been caught in Alaskan waters. Although California, Oregon and Washington commercial fisheries are suffering, there is significant scientific evidence that the Pacific Ocean temperature increase is the primary cause. In 1950 the total catch of all Salmon species in the Pacific Northwest totaled 149,000 metric tons with 80% caught in Alaskan waters. In 2007 the total catch in the Pacific Northwest was 403,000 metric tons with 97% caught in Alaskan waters.** This scientific data clearly demonstrates that the commercial Salmon industry is in better shape than it has ever been. However, severely reduced landings of Coho Salmon in California, Oregon and Washington have no scientifically substantiated direct correlation of that decline to prior and present

conditions on the Klamath River and its tributaries. However, there is a direct correlation of salmon migration movement to the historic rise in Pacific Ocean temperatures.

Pacific Ocean Temperature

http://www.google.com/search?q=history+of+pacific+ocean+temperature&hl=en&prmd=ivns&sa=X&ei=D_N3TbhSg4KxA7b61ccE&ved=0CHAQpQI&tbm=&tbs=tl:1,tlul:1970,tluh:2010

NASA data confirms Historic rise in Pacific Ocean Heat Content

Since 1960 NASA satellite data since 1960 has shown a historic rise in the Heat Content of the Pacific Ocean. Once again this validates the premise that Ocean Temperature has been the primary causation of Salmon migration into Northern Alaskan waters for spawning since 1960. With the drop in ocean temperature in the last two years we are seeing an increase in salmon in Oregon and California verifying this premise.

http:www.earthobservatory.NASA.gov/Features/IOceanCooling/page4.php

PACIFIC NORTHWEST SALMON LANDINGS DATA

Specifically referring to Coho Salmon, in 1970 27% of all Coho were caught in Alaskan waters and in 2009 the percentage caught in Alaskan waters was 82% definitively confirming that the increase in temperature of the Pacific Ocean has driven Coho Salmon North into Alaskan waters. **Based on this scientific data it is clear that listing the Coho Salmon as endangered is fallacious as the ocean environment for these Salmon has forced them to move North into cooler waters.**

http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

COHO SALMON NMFS DATA 1960 - 2010

The total number of metric tons of Coho Salmon landed in the Pacific Northwest in 1960 was 6,200 metric tons. In 2010 the total was 15,079 based on NMFS landing data. There is no doubt that Coho Salmon population along the Pacific Coast has increased by 243% since 1960 and any listing of Coho Salmon in SONCC ESU is unlawful, capricious and arbitrary and is not based on scientific data

http://www.st.nmfs.noaa.gov/st1/commercial/landings/annual_landings.html

ESA VIOLATION BY LISTING A NON-INDIGENOUS SPECIES

Previous petitions have discussed this with documentation and will not be repeated herein. Suffice it to say that all historical documents classify Coho Salmon as non-indigenous within the SONCC ESU in addition to signed documentation from the Karuk Tribe and Shasta Nation in violation of the ESA.

CONCLUSIONS

Based on data provided within this petition there is little doubt that the premises for listing Coho Salmon as threatened has been based upon erroneous data and premises. The scientific data is clear that Salmon populations of Coho has increased several fold since 1960 and the Pacific Ocean temperature is the primary factor in determining where the Salmon prefer to spawn. Removal of all listings of Coho Salmon in the SONCC ESU is demanded based on true scientific data from NMFS & NASA.

Leo Bergeron;
President SCWUA

Leo N. Bergeron

Dr. Richard Gierak
SCWUA Consultant

Dr. Richard Gierak