

# **Public Correspondence**

**Public correspondence received  
as of May 21, 2010**



# Colville Confederated Tribes

Fish and Wildlife Department

P.O. Box 150

Nespelem, WA 99155

Phone: 509-634-2110 / Fax: 509-634-2126



March 23, 2010

Mr. Bill Tweit  
Washington Department of Fish and Wildlife  
600 Capitol Way, N  
Olympia, Washington 98501-1091

Mr. Steve Williams  
Oregon Department of Fish and Wildlife  
3406 Cherry Avenue, NE  
Salem, Oregon 97303

Gentlemen,

The Colville Confederated Tribes propose once again to reallocate a portion of its reserved 2010 summer/fall Chinook harvest to other non-treaty sport and commercial fisheries. Based on this year's forecasted run of 88,800 adults, the Tribes offer 2,000 of their 8,577 allocation to state-managed selective fisheries. We trust the states will manage its fisheries and avail themselves to this added allotment of Chinook only if the run materializes as expected.

The Colville Tribes continue to increase their harvest of summer/fall Chinook through development and use of selective fishing gears. Fishing selectively increases escapement of wild Chinook and reduces the proportion of hatchery-origin fish in the naturally-spawning population; both results contribute to the health and sustainability of this valuable resource. It is incumbent on managers to adopt selective harvest when and where appropriate given that the upper Columbia River summer/fall Chinook populations are located above 7-9 mainstem dams and also endure significant exploitation in ocean and river fisheries. For this year's run, we anticipate total exploitation in excess of 78%, a rate that naturally-produced populations from the upper Columbia River cannot be expected to sustain without more selectivity in our fisheries.

In the recently completed Summer Chinook Summit, extensive data review and analysis by fishery managers clearly demonstrated that the sustainability of our natural summer/fall Chinook populations is not likely now or in the future (with substantial additions of hatchery fish) unless selective harvest is adopted in more fisheries. Additionally, several of the planned new hatchery programs (the Colville Tribes' Chief Joseph Hatchery included) will initially require substantial numbers of wild Chinook for broodstock. These brood fish will only be available if natural-origin summer Chinook survival through the fisheries is improved and in numbers surplus to natural escapement objectives. The Summit report can be viewed at <http://nrd.colvilletribes.com/obmep/Reports.htm>.

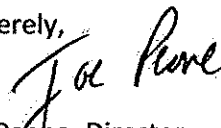
While the Colville Tribes believe the best available science dictates the need for more selective fishing, we do not insist upon its implementation for those not willing or ready to embrace its implementation, particularly the treaty tribal fishermen. That said, we do not accept the criticisms from those seeking to obstruct others' implementation of selective fishing. While there are uncertainties about selective fishing, we believe they pale

in comparison to the data uncertainties and effects associated with non-selective harvest, particularly using gill nets. Our first responsibility is to ensure the conservation and sustainability of our summer/fall Chinook populations; and this objective is most certainly enhanced by adopting selective fishing methods.

We know the non-treaty commercial fishery has not been managed for selective harvest. We encourage the states to begin experimenting with selective gears in this fishery, in 2010 if at all possible; we hope future commercial fisheries can be selective. For the sport fishery, the Colville Tribes do expect selective fishing regulations to be adopted in 2010. Our reallocation of the 2,000 Chinook to both fisheries is premised on this reform being adopted for sport fisheries.

We appreciate the opportunities you provide to participate in co-management of upper Columbia River summer/fall Chinook and we look forward to additional, needed discussions regarding updating summer/fall Chinook escapement objectives. Should you have any questions, please do not hesitate to call me at 509-634-2113.

Sincerely,



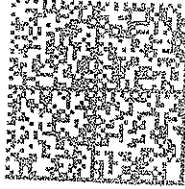
Joe Peone, Director  
Fish and Wildlife Department  
Colville Confederated Tribes

Cc: Phil Anderson – WDFW  
Roy Elicker – ODFW  
Gerald Marco-CCT F&W  
Kirk Truscott-CCT F&W  
Michael Rayton-CCT F&W  
Dale Clark-CCT F&W  
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**COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION**  
729 N.E. Oregon, Suite 200, Portland, Oregon 97232

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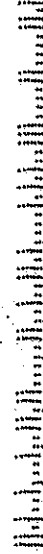
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Steve H. Williams  
Freshwater Deputy  
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3406 Cherry Ave NE  
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## COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

729 NE Oregon, Suite 200, Portland, Oregon 97232

Telephone 503 238 0667

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April 9, 2010

Roy Elicker, Director  
Oregon Department of Fish and Wildlife  
3406 Cherry Ave., NE  
Salem, OR 97303

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QUEW. MAIL DEPT.

Phil Anderson, Director  
Washington Department of Fish and Wildlife  
600 Capitol Way N.  
Olympia, WA 98501-1091

Dear Directors Elicker and Anderson:

The tribes understand the states are proposing, in the North of Falcon process, to manage the Columbia River recreational summer Chinook fishery as a mark selective fishery. The tribes have serious policy and technical concerns about this proposal. The Columbia River tribes would like to meet with the states of Oregon and Washington regarding the management of the 2010 mainstem Columbia River summer management period fisheries.

The tribes understand the proposal is for the recreational fishery downstream of Bonneville Dam to be mark selective during the summer management period, June 16-July 31. The intent of the proposal is to extend recreational fishing time and to address recommendations of the Hatchery Scientific Review Group (HSRG) to remove as many hatchery fish as possible from spawning naturally.

While the tribes understand the desire of the recreational fishery to maximize fishing time, it also comes at a cost. Implementing a mark selective fishery within the parameters of the *U.S. v. Oregon* Management Agreement will result in less landed catch for the same amount of total mortality. Mark selective fisheries are generally implemented to protect weak natural stocks listed under the ESA, while providing access to more abundant hatchery fish. The upper Columbia River Summer Chinook is not protected under the ESA and catch limits are based on the number of returning fish exceeding the escapement goal. From the tribal perspective, increasing incidental mortalities for upper Columbia River Summer Chinook in order to extend fishing time is unnecessary and wasteful. The proposal for upper Columbia River Summer Chinook represents a departure from the original management intent of mark selective fisheries.

The intent to realize the recommendations of the HSRG is also misguided. The parties to *U.S. v Oregon* agreed that the recommendations of the HSRG should be treated as a tool

and not a rule. The states appear to have adopted the HSRG recommendations as rules without consultation with tribal co-managers. It is presumptuous to think that the mark selective fishery proposal will effectively eliminate hatchery fish from reaching natural spawning areas. The reality of the fishery proposal is additional hatchery will be removed, but there is no way to determine which of those fish would have returned to the hatchery and which of those fish would have returned to natural spawning areas.

The tribes have some specific technical concerns as well. The *U.S. v. Oregon* Technical Advisory Committee (TAC) has not reached a consensus on a recommendation for the release mortality rate for mainstem summer hook and line fishing. There is evidence in the scientific literature suggesting release mortality rates increase as water temperature increases. The tribes think it is likely that hook and line fishing in the mainstem Columbia River would have a greater release mortality rate than the 10% used in spring season fisheries. The states need to manage conservatively and account for higher release mortality until research determines an appropriate release mortality rate for Summer Chinook mark selective fisheries.

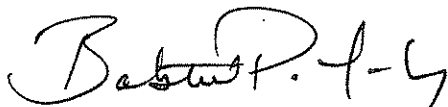
Monitoring of mark selective fisheries is important both to determine the mark rate of fish handled and the total handle and release of un-clipped fish. The tribes have previously raised concerns about utilizing angler interviews to gather these data. The tribes do not believe angler interviews are a reliable method to determine mark rate or total handle and release of un-clipped fish. At the February 18 Compact Hearing, the tribes were told by the Compact that the states had funding to initiate direct monitoring of sport fisheries. The tribes would like to be provided with the plans for doing this monitoring.

TAC has also not reviewed any modeling tools for use in estimating impacts for a Summer Chinook mark selective sport fishery. The tribes request the states develop and provide this tool to TAC for review prior to the implementation of a Summer Chinook mark selective fishery.

The *U.S. v. Oregon* Management Agreement provides that treaty and non-treaty catches of upper Columbia Summer Chinook be shared equally for runs above the escapement goal. The tribes are concerned that hasty implementation of Summer Chinook mark selective fisheries will adversely impact the *U.S. v. Oregon* Parties' ability to ensure compliance with the Management Agreement.

The tribes respectfully request that the Oregon, Washington and the tribes meet in the near future to discuss the conduct of the recreational Summer Chinook fishery.

Sincerely,



Babtist Paul Lumley  
Executive Director

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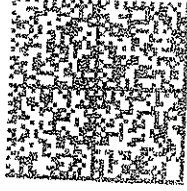
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Oregon Department of Fish and Wildlife  
Fish Division



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