

Agenda Item Summary

BACKGROUND

Spring Chinook Salmon:

Over the past twenty years, upriver spring Chinook stocks in the Columbia Basin have been managed under a series of agreements among the fisheries managers. The most recent agreement, signed by the parties in May 2008, is the 2008-2017 *U.S. v. Oregon* Management Agreement. This agreement sets new limits on the allowable level of incidental-mortality of ESA-listed upriver spring Chinook in non-Treaty and Treaty fisheries and legally obligates the parties to manage fisheries so that non-Treaty and Treaty harvest is approximately equal (catch balancing). The ESA limits, approved by NOAA Fisheries in its Biological Opinion for the fisheries, vary based on the combined run sizes of all upriver spring Chinook populations and the run size of ESA-listed spring Chinook. For non-Treaty fisheries, these limits currently range from a low of 0.5% when the upriver run is less than 33,000 fish to a high of 2.7% when the upriver run is greater than 488,000 fish.

In December 2008, the Oregon Fish and Wildlife Commission (Commission) adopted near-term objectives and strategies for managing spring Chinook fisheries in the mainstem Columbia River. The Commission also adopted a framework for the long-term management of these fisheries. The Commission reaffirmed these management policies (Attachment 2) in February 2010.

Summer Chinook Salmon:

As with spring Chinook, summer Chinook fisheries are currently managed under the 2008-2017 *U.S. v. Oregon* Management Agreement. In addition, the Washington Department of Fish and Wildlife (WDFW) has a management agreement with the Confederated Tribes of the Colville Reservation (CTCR) and a “harvest framework” that provides it guidance on how to share summer Chinook harvest among non-Treaty fisheries.

Under the *U.S. v. Oregon* Management Agreement and WDFW’s agreement with CTCR and harvest framework, directed harvest of summer Chinook in non-Treaty fisheries downstream from Priest Rapids Dam occurs when forecasted run size at the mouth of the Columbia River exceeds 29,000. As with spring Chinook, the harvest rate at these run sizes increases with increases in the run size.

In December 2008 (Attachment 2), the Commission directed staff to:

- Allocate Non-Treaty harvest of summer Chinook downstream from Priest Rapids Dam equally (50% each) between recreational and commercial fisheries.

- Structure fisheries consistent with the fishery framework in the 2008-2017 *U.S. v. Oregon* Management Agreement.
- Structure fisheries consistent with Washington's harvest framework for salmonids originating above Priest Rapids Dam and its management agreement with the Colville Tribe.

In addition, in February 2010, the Commission delegated authority to the Director to conduct a mark-selective recreational summer Chinook fishery in the mainstem Columbia River.

White Sturgeon- Columbia River:

Since 1996, white sturgeon fisheries in the Columbia River downstream from Bonneville Dam have been managed under a series of "management accords" between the Oregon Department of Fish and Wildlife (ODFW) and WDFW.

These accords have shared several key elements:

- Provide regulatory protection to grow the population and ensure adequate recruitment of broodstock sturgeon.
- Maintain concurrent Washington and Oregon regulations in the Columbia River.
- Maintain viable and diverse recreational and commercial fishing opportunities.
- Manage the harvest of sturgeon in fisheries outside the mainstem lower Columbia River consistent with lower Columbia River sturgeon conservation and management needs.
- Limit incidental impacts of sturgeon fisheries on other species needing conservation protection.
- Allocate the harvestable number of white sturgeon in the Columbia River downstream from Bonneville Dam 20% to commercial fisheries and 80% to recreational fisheries.
- Regulate the recreational fishery consistent with the following objectives:
 - Minimize emergency in-season action.
 - Balance catch between the estuary and non-estuary fisheries and maintain a diverse array of sturgeon fishing opportunity.
 - Maintain fishery monitoring and management capabilities.
 - Reduce fishing-related mortality of "oversize" sturgeon.
- Regulate the commercial fishery to optimize economic value and spread harvest opportunity throughout the year.

In February 2010, the Commission delegated authority to the Director to negotiate a one-year sturgeon management accord with WDFW (Attachment 3). This interim measure was put in place to allow time for staff to complete a sturgeon conservation plan that would inform future

fisheries management. The accord also recognized and responded to recent declines in the abundance of legal-sized and sub-legal sized sturgeon by reducing the annual harvest quota from 40,000 to 24,000.

White Sturgeon- Willamette River:

In February 2010, the Commission took several actions regarding the management of white sturgeon fisheries in the Willamette River.

First, the Commission endorsed, as part of the 2010 management accord, an agreement between Washington and Oregon to allocate a portion of the Columbia River guideline to the Willamette fishery and manage it separately. As a result, a management guideline of 3,600 fish was put in place for 2010.

Second, the Commission approved the establishment of a spawning sanctuary from the base of Willamette Falls downstream to the I-205 Bridge by annually closing the area to recreational fishing for white sturgeon from May through July. This action was based on a study by the ODFW in 2009 that documented white sturgeon spawning in the quarter-mile area just downstream from Willamette Falls.

Finally, the Commission approved the closure of the east bank of the Willamette River (an area commonly referred to as the Oregon City Wall) to angling year-round. This action was taken in response to

- Recent declines in white sturgeon abundance.
- Documentation of white sturgeon spawning in the vicinity of the Wall immediately downstream from Willamette Falls.
- The lack of any practical way, now and in the immediate future, to minimize harm to white sturgeon caught and released from atop the Wall.

PUBLIC INVOLVEMENT

- September 21, 2010- Meeting with WDFW and Washington charter boat fishers in Vancouver, WA.
- October 26, 2010- Joint meeting with the Columbia River Recreational Fisheries Advisory Group and Columbia River Commercial Fisheries Advisory Group in Vancouver, WA.
- December 1, 2010- Meeting with the Columbia River White Sturgeon Conservation Plan Stakeholder Group in Clackamas, OR.
- December 6, 2010- Public meeting in Longview, WA.
- December 7 and 8, 2010- Public meetings in Clackamas, OR.
- December 9, 2010- Public meeting in Astoria, OR.
- December 14, 2010- Meeting with the Columbia River White Sturgeon Conservation Plan Stakeholder Group in Clackamas, OR.
- December 14, 2010- Meeting with Salmon for All in Astoria, OR.

- December 15, 2010- Meeting with the Northwest Sportfishing Industry Association in Clackamas, OR.
- December 16, 2010- Meeting with the Columbia River Recreational Fisheries Advisory Group in Vancouver, WA.
- December 16, 2010- Meeting with the Columbia River Commercial Fisheries Advisory Group in Rainier, OR.
- December 17, 2010- Meeting of the Columbia River Compact and Joint State Hearing, Teleconference.
- January 4, 2011- Meeting with the Columbia River White Sturgeon Conservation Plan Stakeholder Group in Clackamas, OR.
- January 11, 2011- Meeting with the Columbia River Commercial Fisheries Advisory Group in Rainier, OR.
- January 13, 2011- Meeting with the Columbia River Recreational Fisheries Advisory Group in Vancouver, WA.
- January 24, 2011- Meeting with the Columbia River White Sturgeon Conservation Plan Stakeholder Group in Clackamas, OR.

ISSUE 1

Management of Spring Chinook Non-Treaty Fisheries in the Mainstem Columbia River

ANALYSIS

Under the 2008-2017 *U.S. v Oregon* Management Agreement, Washington and Oregon must manage non-Treaty fisheries in 2010, 2011 and 2012 under a management guideline that approximates the anticipated catch in Treaty fisheries. Prior to the run-size update, the states must plan fisheries using a run-size forecast buffer of at least 30% (i.e. non-Treaty fisheries will be planned based on a run size that is no more than 70% of the upriver forecast made by the *US v. Oregon* Technical Advisory Committee (TAC)).

For 2011, the run-size forecasts are 198,000 upriver spring Chinook and 104,000 Willamette spring Chinook. For purposes of catch balancing, the buffered run size used to plan non-Treaty fisheries prior to the run-size update can be no more than 138,880. At this run size, the management guideline for non-Treaty fisheries is 11,527 upriver spring Chinook.

For 2011, fisheries management staff plan to again use the Oregon Commission guidance to determine the sport fishery share of allowable impacts and the Washington Commission guidance to determine the commercial fishery share of allowable impacts. As in the past, 5% of the impacts will remain unallocated. For fisheries that occur prior to the run-size update, this means that about 80% of the management guideline will be allocated to recreational fisheries and about 20% to commercial fisheries. This translates to about 9,400 upriver spring Chinook for

recreational fisheries and about 2,100 for commercial fisheries (including Select Areas).

Because the forecasted run-size of Willamette spring Chinook is relatively large (104,000), commercial and recreational fisheries can be open downstream from the Willamette River in 2011.

For recreational fisheries downstream from Bonneville Dam, substantial public input has been received in support of focusing fisheries downstream from the I-5 bridge. However, substantial public support also exists for providing some opportunity to fish upstream from the I-5 bridge. This input is being evaluated for consideration in 2011 fishery planning. Prior to the run-size update, total harvest of all spring Chinook stocks in the recreational fishery downstream from Bonneville Dam could be as high as 13,000, if catch rates approximated historical highs.

For recreational fisheries upstream from Bonneville Dam, just over 1,600 upriver Chinook can be kept in 2011 prior to the run-size update. Approximately 1,000 of these are slated for the Columbia River between Bonneville and McNary dams, with the balance for use in the Snake River and upper Columbia.

For commercial fisheries, about 14,000 Willamette spring Chinook may be available for harvest. However, total spring Chinook harvest in the mainstem non-Treaty commercial fishery prior to the run size update is not expected to exceed 6,500, based on historically high catch rates. The balance may be available for harvest after the run-size update if the run size of upriver spring Chinook exceeds the buffered forecast. Commercial industry representatives have provided input suggesting a season structure that provides harvest opportunity beginning in late February to take advantage of early returning Willamette spring chinook.

Just over 13,000 spring Chinook are expected to return to Select Areas in 2011. Approximately 11,000 will return to Youngs Bay, 1,900 to Blind Slough/Knappa Slough, 220 to Tongue Point/South Channel, and 80 to Deep River. The majority of returning spring Chinook is expected to be earlier-timed age-5 adults. The combined Select Area commercial harvest is expected to be approximately 12,000 fish in 2011. This compares to a record harvest of nearly 25,000 fish in 2010.

OPTIONS

Option 1. For 2011, reaffirm the policy guidance adopted in December 2008 (Attachment 2) and the approach staff used in 2010 to allocate the available upriver spring Chinook harvest among sport and commercial fisheries.

Option 2. For 2011, modify the policy guidance adopted in December 2008 and/or the approach staff used in 2010 to allocate the available

upriver spring Chinook harvest among sport and commercial fisheries.

**STAFF
RECOMMENDATION** Option 1

ISSUE 2 Management of Summer Chinook Non-Treaty Fisheries in the Mainstem Columbia River

ANALYSIS

On January 8, 2011 the Washington Fish and Wildlife Commission reviewed proposed updates to its Columbia River Summer Chinook Fishery Policy (C-3618). The Washington Commission will consider adoption of the updates at its February 4-5 meeting.

Under the “Harvest Allocation” section of the policy, three options were presented for consideration by the Washington Commission. One option maintains the status quo. The other two options modify the current formulas used to allocate harvest between fisheries upstream and downstream from Priest Rapids Dam and between recreational and commercial fisheries. These options anticipate significant increases in hatchery production of summer Chinook after the Chief Joseph Hatchery is completed in 2012.

ODFW staff has pointed out two things to Washington staff about proposed changes to the status quo in a letter dated December 29, 2010:

- The allocation schedules proposed in the two options that change the status quo are premature. Initial returns of adult summer Chinook (age 4 fish) from Chief Joseph Hatchery are not expected until 2016, with the first full adult cohort in 2017. Until then, effects of the options presented in the policy decision document would only apply to current run sizes.
- The allocation schedules proposed in the two options that change the status quo are not scaled appropriately to existing run sizes to provide fair opportunity to recreational and commercial fisheries downstream of Priest Rapids Dam. The average run size during 2005-2010 was 59,440 fish. At that run size, Option A only provides about 780 fish to recreational fisheries downstream from Priest Rapids Dam which is insufficient to provide even the base recreational fishery objective identified in the draft policy. Under Option B, the commercial harvest at the existing average run size is about 1,080 fish, resulting in allocation sharing of 80% recreational (all areas) and 20% commercial. Under the status quo (Option C), the allocation sharing downstream from Priest Rapids Dam would be about 52% recreational and 48% non-Treaty commercial. Overall, the allocation sharing would be 67% recreational and 33% commercial for all non-Indian fisheries.

Based on the figures described above, Oregon staff has recommended to

Washington staff that their Commission adopts a non-Treaty recreational and commercial fishery harvest allocation policy for the years 2011-2013 consistent with the status quo.

OPTIONS

Option 1. For 2011, reaffirm the policy guidance adopted in December 2008 (Attachment 2) regarding allocation of summer Chinook harvest and guidance given in February 2010 regarding the conduct of a mark-selective recreational fishery.

Option 2. For 2011, modify the policy guidance adopted in December 2008 regarding allocation of summer Chinook harvest and/or the guidance given in February 2010 regarding the conduct of a mark-selective recreational fishery.

STAFF

RECOMMENDATION Option 1

ISSUE 3

Management of White Sturgeon Fisheries in the Columbia River Downstream from Bonneville Dam

ANALYSIS

The abundance estimates for legal-sized white sturgeon downstream from Bonneville Dam in 2009 and 2010 were approximately 14-16% less than that in 2008. The decline primarily occurred in legal-sized fish less than 48-inches total length. In addition the catch rates of sub-legal and legal-sized white sturgeon in sport fisheries have similarly declined. Although these declines raise concerns about the status of the population, especially in the near-term, our viability analyses indicate they are not large enough to elicit a conservation concern. However, they may pose a significant threat to fisheries stability.

Because of the fisheries implication of recent declines in abundance, the emphasis of managers in the near term (1-3 years) has been on how best to mitigate for the effects of reduced abundance on the numbers of white sturgeon available for harvest. Through conservation planning, ODFW staff has developed a population model that can be used to project near-term abundance of legal-sized fish. Using the model, the abundance of legal-sized sturgeon in 2011 is projected to be approximately 77,000 (versus 87,000 in 2009 and 85,000 in 2010).

At an abundance-level of 77,000 and a sustainable exploitation rate of 22.5% (estimated from conservation planning), the optimum harvest number is approximately 17,000. This is 29% less than the 2010 harvest guideline (24,000), and 58% less than the 2009 guideline (40,000).

If harvest is allocated among the recreational and commercial fisheries in the same proportions as in 2010, the following guidelines would be put in place for Columbia River fisheries in 2011:

- Commercial fishery: 3,400 (versus 4,800 in 2010).
- Recreational fishery downstream from Wauna (estuary): 6,812 (versus 9,616 in 2010).
- Recreational fishery upstream from Wauna: 5,440 (versus 7,680 in 2010).

OPTIONS

Option 1: Delegate authority to the Director to negotiate and adopt a Sturgeon Management Accord for 2011-2013.

STAFF

RECOMMENDATION Option 1

ISSUE 4

Management of White Sturgeon Fisheries in the Willamette River

ANALYSIS

As discussed in the Background section above, in 2010 Washington and Oregon agreed to allocate a portion of the Columbia River guideline to the Willamette fishery and manage it separately. As a result, the 2010 Willamette fishery guideline was 3,600 fish.

If the current Columbia River harvest guideline is reduced to 17,000 white sturgeon for reasons discussed above under Issue 3, and the Willamette harvest guideline is reduced in the same proportion, it will be 2,550 in 2011.

In 2010, the number of days when anglers were allowed to keep white sturgeon ranged from 12 to 14 per month in January through March. Catch rates on these days ranged from 0.10- to 0.15-fish per angler trip. In November anglers were allowed to keep white sturgeon on three days, during which, the catch rate was 0.25-fish per trip. Overall, the number of angler trips per “retention day” ranged from 500 to 750. In total, kept catch ranged from 700 to 1,200 per month in January through March. In the three days retention was allowed in November, anglers kept just under 500 fish.

If, in 2011, the harvest quota is 2,550 and the number of angler-trips-per-retention-day, catch rates, and days-per-week are similar to 2010, the number of days when retention is allowed in the spring versus fall may be:

- Spring (Mid-February through March): 26 days (assumes catch rate averages 0.14 fish/trip and trips/day averages 710)
- Fall (November through December): 15-28 days (assumes catch rates range from 0.14-0.25 fish/trip and trips/day averages 650)

The point estimate for the spring is based on empirical data from February and March 2010. The number of days in the fall is presented as a range because the only existing data is from three days in November 2010. The lower end of the range is based on data from those three days. The upper end of the range assumes catch rates average the same as in

the spring.

Staff received some, but not substantial, public input on white sturgeon fishery expectations in the Willamette River in 2011. This input indicated a preference for a retention fishery for white sturgeon in the spring.

OPTIONS

Option 1: Assign the highest priority to the spring when structuring retention seasons for white sturgeon in the Willamette River.

Option 2: Assign the highest priority to the fall when structuring retention seasons for white sturgeon in the Willamette River

Option 3: Divide the harvest quota to provide similar opportunity in the spring and fall when structuring the retention seasons for white sturgeon in the Willamette River

STAFF

RECOMMENDATION Option 1.