



Oregon Fish and Wildlife Commission Minutes

Meeting: November 9, 2012 – 8:00 a.m.
Oregon Department of Fish and Wildlife
Commission Room
3406 Cherry Avenue
Salem, Oregon 97303

1
2 *Commission minutes are considered draft until approved by the*
3 *Commission at its next meeting.*
4

5 Notice of these meetings had been made by press release of statewide media
6 circulation. Those attending part or all of the meeting included:
7

Bobby Levy, Chair	Roy Elicker, Director
Michael Finley, Vice-Chair	Curt Melcher, Deputy Director
Bob Webber, Commissioner	Debbie Colbert, Deputy Director
Holly Akenson, Commissioner	Steve Sanders, Assistant Attorney General
Laura Anderson, Commissioner	Teri Kucera, Executive Assistant
Gregory J. Wolley, Commissioner	

8 9 **MEETING**

10 On Friday, November 9, 2012 at 8:00 a.m., Chair Bobby Levy called the Oregon Fish
11 and Wildlife Commission (Commission) meeting to order. She said the meeting was
12 being broadcast via the Internet so the public could watch and listen to the meeting, and
13 that Commissioner Greg Wolley was delayed and would arrive shortly. She said the
14 Commission was not voting on any issue today; this was an informational meeting only
15 on the Joint Washington and Oregon Columbia River Fisheries Management Work
16 Group (Work Group).
17

18 **DIRECTOR'S REPORT**

19 20 **Adopt Temporary Rules**

21 Director Elicker asked the Commission to adopt the 11 administrative temporary rules on
22 pages 1-3 of the tan-colored agenda.
23

24 **1. 635-014-0090**

25 **Salmon and Steelhead Angling Prohibited in Youngs River Basin Effective October** 26 **13, 2012**

27 Adopted October 9, 2012: effective October 13, 2012 through December 31, 2012.

28 These rule modifications close salmon and steelhead fisheries in the Youngs River Basin
29 from the commercial fishing deadline at Battle Creek Slough upstream to Youngs River
30 Falls; and in the Klaskanine River from its confluence with Youngs River upstream to the
31 Klaskanine Hatchery angling deadline on the North Fork; and up to the first falls at
32 approximately river mile 4.7 on the South Fork effective October 13, 2012.
33

34 **2. 635-042-0060**

35 **Fall Commercial Drift Gill Net Seasons Authorized for the Mainstem Columbia** 36 **River**

37 Adopted October 15, 2012: effective October 16, 2012 through October 31, 2012.

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1 Amended rule authorizes three 12-hour night time fishing periods for the 2012 late fall
2 commercial salmon drift gill net fishery in the Columbia River mainstem in Zones 1
3 through 5. The first authorized fishing period begins at 7:00 p.m. Tuesday, October 16,
4 2012. Modifications are consistent with action taken October 15, 2012 by the Columbia
5 River Compact agencies of Oregon and Washington.

6
7 **3. 635-051-0065**

8 **General Game Bird Regulations**

9 Adopted October 16, 2012: effective October 16, 2012 through April 12, 2013.

10 This temporary rule is needed to correct the dates published in the 2012-2013 Oregon
11 Game Bird Regulations. This correction adds October 25, 2012 to the list of open days
12 for hunting in the Miller Island Unit.

13
14 **4. 635-014-0090**

15 **Closure of the Non-adipose Fin-clipped Adult Coho Fishery in the Alsea River
16 Basin**

17 Adopted October 22, 2012: effective October 24, 2012 through December 31, 2012.

18 The amended rule closes the Alsea River Basin non-adipose fin-clipped adult coho
19 fishery which opened on October 1, effective 12:01 a.m., Wednesday, October 24, 2012
20 due to the expected attainment of the 950 non-adipose fin-clipped adult coho allocation.

21
22 **5. 635-065-0765**

23 **Tagging, Possession, Transportation and Evidence of Sex**

24 Adopted October 24, 2012: effective October 24, 2012 through April 22, 2013.

25 In June 2003, the Fish and Wildlife Commission adopted rules banning the importation of
26 certain cervid parts from those states with documented cases of Chronic Wasting
27 Disease (CWD). The rules noted that the Department would add additional states to the
28 rules as new cases of CWD were documented. Based on new information, the rule was
29 amended to add Pennsylvania to the list of states from which cervid parts may not be
30 imported.

31
32 **6. 635-016-0090**

33 **Modifications to Southwest Zone Sport Chinook Salmon Regulations for the
34 Chetco River**

35 Adopted October 26, 2012: effective October 31, 2012 through December 31, 2012.

36 Amended rule opens a sport Chinook salmon season in the Chetco River that was
37 temporarily closed to protect Chinook concentrated at the head-of-tide, three days earlier
38 than previously scheduled, due to early season low flows. Rule modifications allow
39 opportunity for harvest of both naturally and hatchery produced fall Chinook in the
40 Chetco River mainstem.

41
42 **7. 635-014-0090**

43 **Salmon and Steelhead Angling Prohibition in Youngs River Basin Ends Effective
44 October 31**

45 Adopted October 29, 2012: effective October 31, 2012 through December 31, 2012.

46 This rule ends the temporary closure of salmon and steelhead fisheries in the Youngs
47 River Basin in the area from the commercial fishing deadline at Battle Creek Slough
48 upstream to Youngs River Falls; and in the Klaskanine River from its confluence with

1 Youngs River upstream to the Klaskanine Hatchery angling deadline on the North Fork;
2 and up to the first falls at approximately river mile 4.7 on the South Fork effective 12:01
3 a.m., Wednesday, October 31, 2012.
4

5 **8. 635-023-0095**

6 **The Dalles Pool White Sturgeon Recreational Fishery Closed**

7 Adopted October 29, 2012: effective November 4, 2012 through December 31, 2012.

8 This amended rule closes the recreational white sturgeon fishery in The Dalles Pool of
9 the Columbia River effective 12:01 a.m., November 4, 2012 due to the expected
10 attainment of the pre-season harvest guideline. Modifications are consistent with action
11 taken October 29, 2012 by the Columbia River Compact agencies of Oregon and
12 Washington.
13

14 **9. 635-004-0355**

15 **Decreased Cumulative Trip Limit for Cabezon in Period 6**

16 Adopted October 30, 2012: effective November 1, 2012 through December 31, 2012.

17 This amended rule decreases the cumulative trip limit for cabezon in the Commercial
18 Nearshore Fishery in Period 6. The cumulative trip limit for cabezon has been reduced
19 from 1,500 pounds (Periods 1-5) to 100 pounds for Period 6.
20

21 **10. 635-011-0100**

22 **Radio-Tagged Hatchery Winter Steelhead May Be Retained in Northwest Zone
23 Streams**

24 Adopted November 5, 2012: effective November 15, 2012 through May 12, 2013.

25 This amended rule adds radio-tagged hatchery steelhead in *Northwest Zone* streams to
26 the existing exception to non-retention of radio-tagged fish (Item 17, found on page 10 of
27 both the **2012 Oregon Sport Fishing Regulations** and the **2013 Oregon Sport Fishing
28 Regulations** (available around December 16, 2012)). Rule modifications allow retention
29 of radio-tagged fish in conjunction with a planned radio telemetry study in the Alsea and
30 Nehalem basins. This amended rule encompasses the entire *Northwest Zone* due to the
31 possibility that some radio-tagged hatchery winter steelhead may stray into adjacent
32 basins.
33

34 **11. 635-041-0045 and 635-041-0075**

35 **Treaty Indian Platform Sales Allowed In Columbia River**

36 Adopted November 7, 2012: effective November 8, 2012 through January 29, 2013.

37 Amended rules allow sales of fish, except white sturgeon, landed in Treaty platform and
38 hook and line fisheries in the Columbia River during the period from Thursday,
39 November 8, 2012 through January 29, 2013. Modifications are needed to maintain
40 consistency with Treaty Indian and Washington State rules which currently allow platform
41 sales. Modifications are consistent with action taken November 7, 2012 by the State of
42 Oregon in cooperation with the State of Washington and the Columbia River Treaty
43 Tribes.
44

45 *Action: Commissioner Webber moved to adopt the 11 administrative temporary*
46 *rules as presented in the agenda beginning with 635-014-0090 through 635-041-*
47 *0075. Commissioner Finley seconded the motion, and the motion carried*
48 *unanimously by a vote of five.*

1
2 **Exhibit A: Columbia River Fisheries Management Workgroup**

3 Ed Bowles, Fish Division Administrator on temporary assignment with the Director's
4 Office, said the Joint Columbia River Fisheries Management Work Group (Work Group)
5 process is moving on and a meeting is scheduled next week (November 15). The
6 Washington Department of Fish and Wildlife (WDFW) Commission met yesterday to
7 offer public testimony. He said we will provide information only through the last Work
8 Group meeting; all the work done since then will be mailed out this afternoon. There are
9 still chances for continued public testimony.

10
11 Curt Melcher, Deputy Director for Fish and Wildlife, overviewed the Management
12 Structure for Columbia River (CR) Fisheries on the lower 146 river miles in the CR. He
13 said these highly migratory stocks that contribute to fisheries up and down the west
14 coast from southeast Alaska and British Columbia and the Oregon (OR) and Washington
15 (WA) coasts are managed under the terms of:

- 16 • Pacific Salmon Treaty (PST). Describes harvest levels in relevant fisheries
17 generally on abundance-based management.
- 18 • As stocks return and rear off of OR and WA coasts they are managed under
19 Pacific Fisheries Management Council (PFMC). PFMC looks to PST for guidance
20 and Endangered Species Act (ESA) as it relates to listed stocks.
- 21 • North of Cape Falcon process is how various fishing sectors share the benefits
22 across their fisheries. In conjunction staff brings rules annually to the Commission:
23 ocean seasons structure or in-river fishery management.
- 24 • *United States versus Oregon Management Plan*. ODFW manages its CR fisheries
25 under *US vs. Oregon* that describes sharing between Treaty Indian fisheries and
26 non-Indian fisheries. It has specific requirements for stock recovery and (hatchery)
27 production agreements.
 - 28 ➤ ODFW Commission provides guidance to staff during *US vs. Oregon*
29 negotiations.
- 30 • Columbia River Compact (Compact) between OR and WA is ratified by U.S.
31 Congress and OR and WA legislatures. Gives authority to both Commissions to
32 manage fishery resources in CR with each other. The Commission has delegated
33 that authority to Director Elicker. Under Compact decisions, staff brings rules to
34 the Commission for adoption.

35
36 Deputy Director Melcher said the Commission and Director Elicker received a letter
37 dated August 9, 2012 from Governor John A. Kitzhaber (the Governor) that asked the
38 Commission to:

- 39 • Imitate rulemaking consistent with Governor's letter by end of 2012 and with
40 WDFW through the Work Group.
- 41 • Premise: both recreational and commercial fisheries were economically important
42 to local and regional communities and economies to OR and WA.
- 43 • Objective: Optimize the economic value within a conservation framework.

44
45 Deputy Director Melcher listed the Key Elements/Principles:

- 46 • Prioritize recreational fisheries in mainstem; commercial in off-channel.

- 1 • Continue to develop selective commercial gear and techniques; after transition
- 2 period phase out non-selective gillnet fisheries in the mainstem.
- 3 • Enhance off-channel commercial fisheries.
- 4 • Secure conservation benefits. Under shift of production in Select Areas (SA) and
- 5 increased harvest rates on hatchery fish there will be some reduction in hatchery
- 6 fish in wild spawning grounds.
- 7 • Provide Transition Period for full implementation.
- 8 • Avoid significant economic loss during transition; ensure overall economic gains
- 9 long-term for both sectors.

10
11 Deputy Director Melcher discussed the Governor's Additional Clarification and Guidance
12 (see letter dated August 14, 2012):

- 13 • Complete policy development by end of 2012.
- 14 • Revisit this issue in future; use Adaptive Management to adjust the program if key
- 15 assumptions proved wrong.
- 16 • Key elements are a package and should be implemented fully and not piecemeal.
- 17 • Flexibility to extend transition period slightly if necessary.
- 18 • Flexibility to moderate the Governor's original proposed allocation shift of 70%
- 19 sport and 30% commercial (70:30) if necessary to reduce negative impacts to
- 20 commercial fishery.
- 21 • Provide conservation benefits by increasing selective harvest of hatchery fish in
- 22 mainstem which reduces the contribution of hatchery coho and Chinook in
- 23 spawning areas.

24
25 Deputy Director Melcher noted the report, *Draft Management Strategies for Columbia*
26 *River Recreational and Commercial Fisheries: 2013 and Beyond dated October 12, 2012*
27 (Joint Agency Report) delivered to Work Group on October 18. He said staff is updating
28 the Joint Agency Report for the Work Group meeting next week.

29
30 He discussed **Transition Period of 2013 to 2016+**:

- 31 • Allocations:
 - 32 ➤ 70:30 sport/commercial for spring and summer Chinook, Lower River fall
 - 33 Chinook (also known as tule fall Chinook) and sockeye.
 - 34 ➤ 55:45 sharing for upriver bright fall Chinook.
 - 35 ➤ No substantive change for coho.
- 36
- 37 • Off-Channel Enhancements 2013+. Staff already began off-channel
- 38 enhancements in 2010, and have expectation for additional off-channel
- 39 enhancements for release in 2013 that would amount to an additional:
 - 40 ➤ 1-million spring Chinook to SA; 83% increase.
 - 41 ➤ 920,000 coho; 24% increase.
 - 42 ➤ 500,000 SA bright fall Chinook; 33% increase.
- 43
- 44 • "Reasonable" fall Chinook sport fishery objectives that would include:
 - 45 ➤ Buoy 10 fishery open through Labor Day.

- Tongue Point to Warrior Rock is open through mid-September. For Marked Selective Fisheries (MSF) many lower river fall Chinook stocks are now returning with adipose fin-clip. Staff to explore opportunity for additional marked selective recreational fishing during September timeframe.
- Warrior Rock to Bonneville Dam. Staff expects a full fishery that is non-selective Chinook directed fishery; marked and unmarked fish can be retained.
- Commercial fishery characteristics:
 - Mainstem opportunity for spring, summer, and fall Chinook.
 - Tangle and gillnets allowed in mainstem subject to management decisions to which gear is most appropriate at a given time. Alternative gear if approved. Beach and purse seines and others not statutorily allowed in OR. Unless statutorily changed, staff will not be able to allow these alternative gears other than on an experimental basis. If staff secures statutory authority to allow the Commission to determine what gear is most appropriate in an area, then staff would pursue some of those alternative gear fisheries.
 - Based on production increases to SA expect 25% more adult spring Chinook return to off-channel areas immediately; increase already begun in 2010. Approximately 24% more adult coho and 33% more SA Brights (SAB) would return to SA mid-way through Transition Period.
 - Substantial upriver bright fall Chinook fishing opportunity in mainstem.
 - May be new opportunities for hatchery fall Chinook (tule) and coho in lower river if alternative gears are approved.
- Recreational Fishery Impacts. Staff projects a 51,000 to 61,000 increase in angler trips; a 16% - 17% increase.
- Commercial Fishery Impacts. A negative impact and decline of \$143,000 to \$331,000 in ex-vessel revenue (5% - 11% decline). These estimates do not include any potential yet unproven selective alternative gear fisheries. If those are successful there would be additional benefits not reflected in these estimates.
- Additional option to reduce commercial impacts. Over Transition Period staff recognizes there may be additional gillnet opportunity above Lewis or Sandy Rivers for upriver bright fall Chinook. Could be used to additionally reduce the negative economic impact to the commercial fishery: \$0 to \$138,000.

Deputy Director Melcher discussed **Long Term (2017+)** expectations from the Report:

- Allocations:
 - 80% sport and 20% commercial (80:20) sharing for spring and summer Chinook and sockeye.
 - 80:20 for tule fall Chinook (commercial access to hatchery tules).
 - Approximately 65% sport and 35% commercial for upriver bright fall Chinook.
 - No substantive change for coho in the mainstem.
- Off-Channel Enhancements. Staff proposes to:
 - Increase spring Chinook in SA by 1.25 million; a 100% increase.

- Up to 4.7 million additional coho; a 100% increase, would double the program.
- Additional 750,000 SAB fall Chinook; a 50% increase.

He pointed out that Long Term expectations for production increases include those that are being implemented in the Transition Period; so are not above and beyond the transition but actually include the transition shifts.

- “Reasonable” fall Chinook sport fishery objectives will be met again for:
 - Buoy 10 through Labor Day.
 - Tongue Point to Warrior Rock through mid-September with potential for MSF.
 - Warrior Rock to Bonneville Dam full fishery and non-selective fall Chinook directed fishery.
- Commercial characteristics:
 - Tangle nets and other selective gear permitted in mainstem.
 - Under this allocation shift infrequent opportunity for mainstem directed spring Chinook.
 - Off-channel areas to show about 100% increase in adult spring Chinook and coho returns and 50% more SAB.
 - Substantial upriver bright Chinook fall opportunity in mainstem.
 - New substantive opportunity for lower river hatchery tule and coho, and upriver bright fall Chinook in potential alternative gear fisheries.
- Recreational Fishery Impacts. Projecting 87,000 to 92,000 angler trips; about a 27% increase.
- Commercial Fishery Impacts:
 - 2017 – 2020: Projecting a small reduction in commercial ex-vessel revenue of \$21,000 to potential increase of \$195,000.
 - Beyond 2020: When all new production is realized, projecting the commercial ex-vessel value will increase by \$215,000 to \$431,000.
 - These estimates do not include any new alternative gear fisheries. If beach or purse seines or other gear proves to be successful and economically viable any of those estimates are not included in this.

Deputy Director Melcher talked about the Conservation Impacts. Staff expects:

- Small escapement increases for some wild runs.
- Reduction in hatchery fish on spawning grounds particularly in lower CR basins as it relates to lower river fall Chinook and coho.
- Increased protection of white sturgeon; reduction of sturgeon harvest guideline by 10%.

He presented the new WA Commission’s recommendations received by staff on October 18, 2012. Most consistent with Joint Agency Report except for the following exceptions from WA:

- WA proposed there be no Transition Period and that summer Chinook commercial fisheries be ended beginning in 2013.

- 1 • If no increase in Sturgeon stock assessment this year, proposed to end all
2 targeted commercial fishing. Allow only catch-and-release recreational fishing for
3 sturgeon.
- 4 • Retain option of using gillnets in the mainstem above the mouth of Lewis River for
5 upriver bright directed commercial fishing.
- 6 • Begin alternative gear; in particular, seine fisheries beginning in 2013. Deputy
7 Director Melcher said the WA Commission does have the authority to adopt those
8 seasons as it relates to WA statute. The OR Commission does not currently have
9 that authority.

10
11 Deputy Director Melcher summarized the Actions and Expectations for the Work Group's
12 last meeting in Seaside on November 15, 2012 and following directives to staff:

- 13 • Incorporate WA Commission recommendations into Joint Agency Report; staff to
14 reconcile any differences.
- 15 • Analyze scenario where negative impact to commercial fishery over the short-term
16 was reduced to 0% to 5% as opposed to original negative impact of 5% to 10% in
17 the original Joint Agency Report.
- 18 • Clarify the adaptive management strategy and identify any elements of a
19 commercial permit buy-back program that may be appropriate.
- 20 • Work Group received a white paper with recommendations from the commercial
21 advisors as it relates to recreational and commercial fisheries. Staff directed to
22 indentify appropriate elements and incorporate into Joint Agency Report.
- 23 • Resolve any final Work Group recommendations at November 15, 2012 meeting.

24
25 Lastly, Deputy Director Melcher summarized Next Steps of the process:

- 26 • Final Work Group meeting on November 15 in Seaside, OR. Work Group
27 recommendations submitted to WA and OR Commissions.
- 28 • Both Commissions to consider policy and or rule adoption at their December
29 meetings based on Work Group recommendations.
- 30 • Staff recognizes that the aggressive production enhancement in SA and
31 exploration of expanded areas or new areas is costly and is working with
32 Governor's Office to incorporate those costs into Governor's Recommended
33 Budget (GRB) for the 2013 OR Legislative Session.
- 34 • In OR, need new statutory authority to explore or adopt alternative gears in a real
35 fishing framework as opposed to research. With new gear will need National
36 Fisheries Marine Service's (NFMS) coverage to implement that gear as it will have
37 an impact on listed stocks. Staff will have to estimate those impacts based on
38 catch and release mortality rates, which are currently under development.

39
40 Commissioner Webber said the Commission received letters from the Columbia River
41 Inter-Tribal Fish Commission (CRTFC) referring to *US vs. Oregon*. Is that an allocation of
42 fish between the Tribal rights and the states? Deputy Director Melcher said historically
43 that was the primary focus although there were escapement goals and conservation
44 pieces. There are other pieces of *US vs. Oregon* now; in particular, the Mitchell Act and
45 how hatchery production is planned and where they occur.

1 Commissioner Webber asked do the Treaty Tribes just fish below Bonneville Dam in
2 non-Tribal commercial fisheries. Deputy Director Melcher said generally that is correct.
3 There is limited TreatyTribe ceremonial subsistence fishing opportunity downstream from
4 Bonneville Dam that is not commercial opportunities. The non-Indian commercial
5 fisheries occur only downstream from River Mile 141, five miles below Bonneville Dam.
6 The Treaty Tribal fisheries largely occur only above Bonneville Dam.

7
8 Commissioner Webber said the fish impacting the Tribal fisheries would be those that
9 are bound upriver? Deputy Director Melcher said the only stocks subject to *US vs.*
10 *Oregon* are stocks and fish that are destined for areas above Bonneville Dam.

11
12 Commissioner Webber asked is there any harvest production we are looking at shifting
13 that would result in upriver fishing above Bonneville. Deputy Director Melcher said to his
14 knowledge no. Bowles added that the fisheries themselves harvest fish destined for
15 watersheds above Bonneville. Those are established through *US vs. Oregon* relative to
16 that sharing. For the spring run fish the “catch-balancing” within *US vs. Oregon* requires
17 that the total amount of harvest between Tribal and non-Tribal be shared equally.

18
19 Commissioner Webber said there is nothing in *US vs. Oregon* that dictates to the states
20 how we dictate our share of the fish? Deputy Director Melcher said that is correct.

21
22 Commissioner Webber said we’ve talked about MSF. Some of the hatchery releases
23 upriver from our hatcheries are unmarked? Deputy Director Melcher said generally from
24 our facilities, with the exception of conservation programs, our hatchery production is
25 mass-marked with an adipose fin clip. There are Tribal programs and perhaps WA
26 programs that do not currently mark their hatchery fish; a subject of ongoing discussion.

27
28 Commissioner Webber said under OR’s definition of wild fish any fish that is not marked
29 is considered a wild fish? Deputy Director Melcher said for a MSF (by regulation you
30 must release the marked fish) that is correct. The fish that do not have a fin clipped are
31 viewed the same whether their origin was hatchery or wild origin; they are viewed as
32 unmarked fish and must be released. For fish on spawning grounds we do not view
33 unmarked hatchery fish the same as unmarked wild fish.

34
35 Commissioner Finley asked if there is a flow sheet that shows this shift over the last 10
36 or 20 years. Wasn’t there an allocation shift between commercial and recreational in the
37 Lower River in 2008? Deputy Director Melcher said historically it was almost 100%
38 commercial. Up until 2002, annual allocation decisions were made through the Compact
39 by the Director or his designee. In 2002 we adopted multi-year approaches to how
40 allocations would be made and brought those before the Commission. He said over that
41 time there have been three different sessions where we brought allocation decisions to
42 the Commission. One shift moved the balance more heavily towards recreational, and
43 one that shifted the balance back, to some degree, towards commercial.

44
45 Commissioner Finley asked about 2008. Deputy Director Melcher said in 2008, OR and
46 WA Commissions made independent decisions that shifted the allocation base back
47 towards the commercial fishery. The OR Commission made that decision but the WA

1 Commission went the opposite direction. About 5% of the allocation was in question and
2 to this day has not been allocated.

3
4 Chair Levy asked about the financial numbers. Deputy Director Melcher said staff is
5 working with the Governor's Office to develop a policy package that would describe the
6 funding needs associated with various production levels; it is not inexpensive.

7
8 Commissioner Webber said when we talk about allocations, we're talking about impacts
9 to ESA listed species? Deputy Director Melcher said that is generally the case. Over the
10 last decade we have talked about how the two fisheries share the available ESA
11 impacts. There are exceptions. For instance, summer Chinook are not managed under
12 ESA impact rates because they are not ESA-listed. The sharing of summer Chinook is
13 sharing of harvest that is calculated in the numbers of fish. Commissioner Webber said
14 then the impacts are affected by release mortality in a MSF. Deputy Director Melcher
15 said you take those impacts and leverage them into some number of harvestable fish.
16 He explained the leverage approach.

17
18 Commissioner Webber asked, what are the mortality rates that you use in calculating
19 those impacts? Deputy Director Melcher said 10% for the. It is gear specific and time
20 specific for commercial: tangle nets in the spring it is 14.5%; for large mesh gillnets its
21 40%. Staff does not know for the mortality rate for alternative gears like seines or traps.

22
23 Commissioner Webber asked if the impact allocations are based on run projections.
24 Melcher said yes initially, but we update the run size in-season. We allocate impacts and
25 take back 40% to buffer for changes in run sizes in-season and adjust fisheries
26 accordingly.

27
28 Commissioner Webber said the Governor suggested we improve our projections. There
29 are so many factors that getting an absolutely dependable projection is impossible.
30 Deputy Director Melcher said we have the Bonneville Dam counting station to track runs
31 in-season and to look at run timing curves, and in-season make educated estimates of
32 actual run sizes. So while our preseason forecasts may have been inaccurate, our
33 management and in-season knowledge was premise enough to allow us to manage the
34 fishery to still meet all our ESA objectives.

35
36 Commissioner Webber said for Bonneville those are hard numbers. He assumes the
37 difficulty is how to figure how many are coming in the mouth of the river. Deputy Director
38 Melcher said yes, in the fall there is a lag of six or seven days; in the spring time the lag
39 may be three weeks or more from the time they enter the river mouth until they cross
40 Bonneville. It's a blending of the art and science in looking at the run-timing curves to
41 determine whether the run is early or late or average.

42
43 Commissioner Webber asked if there is any science that may help in the future with
44 preseason projections. Bowles said our ability to predict the future is based on the future
45 being similar to past information. The models bearing fruit at this time are getting more
46 definitive relative to what's going on during that first year with these fish in the ocean and
47 the characteristics that got them to the ocean related to river conditions. We have to

1 adapt to changing climate and ocean issues. We will continue to need to manage an
2 uncertainty buffer relative to run size beyond this decision during the transition until we
3 dial things in much better.

4
5 Commissioner Anderson said the WA proposal continues to allow use of large mesh nets
6 above the Lewis River for the fall fishery. She asked about the known selectivity of that
7 specific gear in that location and what the timing is relative to other gear types. Deputy
8 Director Melcher said in a regulatory approach where you have to release all the
9 unmarked fish if they are not adipose fin-clipped it is difficult to define "selective". When
10 you talk about gear selectivity it is what target and non-target species does the gear
11 contact? There is no gear that is entirely selective; it is a continuum. Many parameters
12 come into play when you talk about selective versus non-selective; not only gear
13 selectivity but time and area. To some people selectivity means you can catch-and-
14 release unharmed. Every gear has some mortality with catch-and-release.

15
16 Chair Levy wasn't sure he answered the question; it was specific to Lewis River.

17
18 Commissioner Anderson said yes it was a specific location, time and gear type but
19 perhaps numbers are not available. What Melcher was saying is that how we define
20 selectivity can vary greatly. When she thinks about the broader policy of what we are
21 trying to achieve here she thinks about how we want to be selective rather than over
22 prescriptive on specific gear types. She is looking for information that would support a
23 broader thinking. Deputy Director Melcher said the Lewis River boundary was picked by
24 WA because most of the Lower River Chinook have turned off into tributaries at that
25 point. Above that point is largely an upriver bright fishery with a few small exceptions.
26 WA considers that to be an opportunity for selective fishing based on area because the
27 stocks turn off there.

28
29 Commissioner Akenson asked about long-term projections shown in the data to date. Is
30 that projections on numbers of fish, fishing opportunity or financial situation in the future?
31 Is that based on our current fish numbers? What would those figures look like if we did
32 have an improved recovery on ESA-listed fish? Bowles said the numbers are all driven
33 based on current management models used to manage the fisheries. We take the
34 fisheries effectiveness and type and turn them into the number of targeted species fish
35 and encounters with non-targeted fish of the wild fish and those impact rates. It is simple
36 math related to moving fish into off-channel areas; what their survival rates are when
37 they are released as juveniles into the off-channel areas. When they come back what is
38 the traditional amount that will be harvested based on the past. For the sport fishery we
39 turned the projections into a currency of angler trips. For the commercial, the currency
40 used to compare the base versus the future is the ex-vessel value of that fish based on
41 poundage, species, and the general market value going to the fisherman when they go
42 to the buyer.

43
44 Commissioner Akenson said if those ESA- listed species are improving in recovery,
45 would that mean an additional number of fish that could be harvested under the same
46 allocation scheme? Bowles said yes. We assumed the existing matrices in place for runs

1 and held the run size for this modeling exercise constant. It represents the last five years
2 and is what's carried forward. If the wild fish numbers improve those are built in.

3
4 Chair Levy asked for a selective gear test update. Bowles said the Commission toured
5 off-channel sites and saw presentations of alternative gear; most of the focus was on
6 purse and beach seines that started three years ago. The lion's share of that was funded
7 through WA but ODFW has contributed. In their recommendations, WA wants to jump to
8 a pilot implementation of the seine fisheries as early as 2013. We are supportive if we
9 get the authorities. If it is experimental management we are ready to implement on those
10 two gear types but there are other alternative gears that should be looked at. We will
11 need the full transition period to continue researching alternative gear to get a sense of
12 what's going work and what is not. And we will need other resources to pursue that.

13
14 Commissioner Webber said the current gillnet tangle net commercial fishery is a night
15 time activity and purse seining is a daytime activity? Bowles said, in general, yes.

16
17 Chair Levy asked about the spring and summer seasons and the sport versus
18 commercial fishing opportunities, and what the projections are for the transition period.

19
20 Bowles said his PowerPoint slide *Transition (2013-2016)* (see page 3, slide 2) is based
21 on angler trips and ex-vessel value. For allocations the 70:30 represents impacts for
22 spring and summer Chinook, tule fall Chinook and sockeye. The upriver bright fall
23 Chinook is in the 55:45 range. In the 70:30, if needed to reduce economic impacts, that
24 is what staff has been turning the dial on since that Work Group meeting to get into that
25 range. For some fisheries, tule fall Chinook and summer Chinook, we are looking at ones
26 that don't go to 70%. Regarding outcomes, we believe we can meet these sport
27 objectives and still provide substantive commercial opportunities in the mainstem for
28 some of the fall and summer fisheries. He said the Transition Period will be all seasons.
29 For amounts (see page 4, slide 2) you get a 15%-plus improvement during the Transition
30 Period to the recreational and a 5% to 10% economic loss during the transition for the
31 commercial across all fisheries without analyzing the alternative selective gear fisheries.

32
33 Chair Levy said does that take into account the 0% to 5% suggestion? Bowles said that
34 is what we've done since that meeting. Because that has not been presented to the
35 Work Group yet, we are not ready to present that to you as the full Commission. That is
36 going out in the mailing today and for discussion next Thursday.

37
38 Chair Levy said a 1.4% return is what we are basing our dollars figures on assuming that
39 the commercial fishermen will have a 1.4% return. Have we factored into that 1.4% those
40 times when the return has been down to point three percent (0.3%) in SA? Bowles said
41 he is not sure where the 1.4% figure is coming from. He said for fish we release into the
42 off-channel areas as juveniles we have empirical information of their survival rates from
43 when they're released from the net pens or from lower river hatcheries to when they
44 come back as adults. He's not aware of any of those that are at the 1.4%. We take the
45 average of those survival rates, which determines how many fish are coming home to
46 these fisheries whether it's the mainstem or the off-channels. Staff applies the ability of

1 the fishers to catch those fish to determine how many are actually harvested and then
2 applies the traditional value per pound to determine the ex-vessel numbers.

3
4 Chair Levy said when talking about returns to SA does staff factor in the numbers that
5 the sport fishery picks up at Buoy 10? Bowles said yes. Chair Levy asked how. Bowles
6 said we are able to dissect the fishery down into the harvest at Buoy 10 or Lower River
7 and determine what the harvest is in the off-channel areas. We are able to tell how many
8 fish are escaping both of those fisheries and get the full survival rate. There is a survival
9 rate to the off-channels areas but staff will reduce that further to apply the harvest rate by
10 the recreational fishery before they get there.

11
12 Chair Levy asked Bowles to talk about the trigger mechanism as part of the continuous
13 adaptive management. Bowles said this is an adjustment to the report at the last Work
14 Group meeting. Staff is thinking of a mid-check-in period with the Commissions, and a
15 comprehensive evaluation at the end of the Transition Period with the Commissions
16 looking at how well the program is being implemented relative to the fish coming home,
17 the economics, or is alternative gear showing promise. The Commissions can determine
18 ways to adjust course if the assumptions prove wrong.

19
20 Chair Levy said if those triggers show up sooner than later we will be revisiting this
21 before mid-program? Bowles recommended continuing this as an organic dialogue
22 every year. The Commission needs to make sure it is getting adequate data to make
23 decisions and not reacting to anomalies; thus, the mid check-in periods.

24
25 Chair Levy said we are enhancing the SA presently that started in 2010. Are we seeing
26 the start of numbers coming back to the SA? Bowles said 2012 would have been the
27 first time the Commission would have seen enhancements from that. The fish coming
28 home are primarily determined by the conditions they had as youngsters and when they
29 were in the ocean. It is difficult to determine that in just one year, plus these types of
30 Chinook do not come back as a group. You will get the same 2010 releases coming back
31 strongly next year as well and we will look at those together to see if there is an uptick.

32
33 Commissioner Akenson asked if WA has discussed a buy-back program. Is that a
34 potential piece of the Work Group's decision? Bowles said the buy-back program is not
35 going to be prescriptively identified for the Commissions to adopt for their rulemaking
36 and won't be presented to the Work Group next week. It requires a more detailed
37 discussion and with the fleet itself. We recommend embracing the concept through the
38 Commissions, and establishing a process to flesh this out over 2013 for the
39 Commissions to consider; there may be statutory obligations with that.

40
41 Commissioner Wolley referred to the Governor's Transition Period. He said what are the
42 main factors that would affect achieving all the work that needs to be done during this
43 time period and the main factors that could potentially extend the timeframe we are
44 working with? Bowles said one is whether the production shifts are occurring. What we
45 have on track for release this coming spring already embraces the Transition Period
46 goals for production needs on the OR side. Another is the alternative gear research if
47 we shift to an actual experimental management pilot program next year. There are

1 administrative needs too: approvals through NOAA fisheries because of ESA overlap
2 and potentially statutory changes relative to using alternative gears in the mainstem.

3
4 Commissioner Finley referred to page 9 of the Joint Agency Report and read paragraph
5 1), "*Insufficient space in off-channel sites to accommodate the commercial fleet.*" He said
6 how are you in working with WA defining the commercial fleet? Bowles said they know
7 the commercial fleet is a limited entry program with about 550 permits both in OR and
8 WA; about 250 of those are active. Commissioner Finley said so the insufficient space is
9 subject to getting a surge in inactive people wanting to come out at the same time as the
10 active people? Bowles said correct. We are harvesting the vast majority of fish coming to
11 off-channel areas; but want to do that in a socially tenable way that accommodates the
12 needs of the fishery for the spaces. Staff is looking for innovative ideas from the fleet
13 itself on how to fit folks in. This is definitely a shift for the commercial fleet and would be
14 crowding that needs to be taken seriously as we move forward.

15
16 Director Elicker said each of the major interests in this issue self-appointed a panel to
17 address the Commission. Each panel has 30 minutes to make their presentation.

18 19 **Conservation Panel**

20 Tom Wolf said the Conservation Panel consists of himself from Trout Unlimited (TU), Bill
21 Bakke from the Native Fish Society (NFS); and Steve Pedery from Oregon Wild.

22
23 Bill Bakke, Native Fish Society (NFS), distributed written testimony, "Overdue: Salmon
24 Spawner Allocation". He discussed the need for allocation of salmon and steelhead to
25 spawning grounds. He said OR in the 1930s and 1950s came to grips with allocation
26 difficulties that we were harvesting in the coastal waters and CR. The salmon were in
27 dire depletion. In 1948 the OR Fish Commission wrote a report to evaluate whether they
28 were getting the salmon escapement needed in order to recover the fisheries. They
29 concluded that the legal fisheries after certain gear types were removed from the river;
30 hatcheries were consuming the salmon they thought would be saved by removing fixed
31 gear in order to get more fish onto spawning grounds. He said without a spawning
32 escapement requirement for the salmon that changes fishery allocation among the user
33 groups back then was ineffective on the part of the agencies to stabilize the fisheries and
34 rebuild populations. Bakke said we need on the CR in allocation of fish to competing
35 fisheries to integrate an escapement requirement by watershed in the Lower CR for
36 salmon and steelhead that is controlling on the harvest fisheries. Without that we will not
37 recover ESA-listed salmon in these watersheds.

38
39 Bakke said fish in the lower CR are in danger of extinction. We have not created a
40 management program that stabilizes the fisheries or rebuilds the populations. It's an
41 industrial approach to salmon fishing that's based on numbers and hatchery production.
42 Essentially, protection of habitat and naturally spawning populations, wild populations,
43 are irrelevant to the process. This Commission can change that. He said we are not
44 managing fisheries to achieve spawner escapement goals in these tributaries by
45 species. Bakke referred to page 2 of his handout where he listed the current status of
46 species on the Sandy River, all listed as threatened under ESA (see *Minimum Recovery*
47 *Spawner Requirement*) and the assumed harvest rate required in OR. Those runs have

1 declined between 91% and 54% given the current status. Bakke said for steelhead at
2 one time the escapement goal was 400,900 fish that ODFW set and now it is 1,500 fish
3 under the Oregon plan. He said as runs decline, we've lowered the escapement
4 expectations or goals. We had escapement goals recommended by the Power Planning
5 Council and NMFS but none have been adopted as formal controlling factors upon
6 harvest and the expectation of better runs. What we are getting is what's left over after
7 the fisheries. We can do a better job than that.

8
9 Steve Pedery, Conservation Director for Oregon Wild (OW), distributed written
10 testimony. He said OW has been increasingly frustrated at the challenges of getting wild
11 fish back into upper CR tributaries. They feel the use of this fishing technique is not
12 selective enough nor does enough to get wild fish back on spawning gravel. They have
13 concern with bycatch of non-target fish species, wild sturgeon and around wildlife, diving
14 birds and aquatic mammals. Particularly in regards to "ghost nets" not heard much about
15 in OR, but it is a problem in Puget Sound and elsewhere. He held up a collection of
16 gillnets snagged on a wing dam near Beacon Rock. From a cooler he held up the
17 remains of a ruddy duck that was pulled from a gillnet in the same area.

18
19 Pedery said OW members have been frustrated with a number of management
20 decisions around salmon along the CR and elsewhere in OR. OW felt a major shake-up
21 to the system was needed which is why they supported BM 81. When the Governor
22 stepped in OW felt obligated to come to the table and support his compromise. OW
23 suspended its active campaigning on BM 81 and switched support to the Governor's
24 process. We continue to think this is right idea and approach towards addressing this
25 problem. In the Governor's plan OW strongly supports and is very happy with:

- 26 • Relocating gillnets off of the mainstem.
- 27 • Seeing selective gear developed.
- 28 • If using nets in the mainstem CR to use more selective techniques.
- 29 • Proposals in regards to tagging and labeling of nets. We are concerned with ghost
30 nets being snagged on wing dams with no ability to identify whose net it is.
- 31 • Stricter requirements reporting nets when snagged or lost on the river so there is
32 a set time that needs to be report, and there is impetus for enforcement.

33
34 Pedery said OW tries to take the long view in all the conservation issues they work on.
35 He urged the Commission to do it again today. There are certainly folks who are not
36 happy with the Governor's proposal today. He asked the Commission to step back and
37 ask what people in 50 years are going to think.

38
39 Tom Wolf, Chair and Executive Director of Oregon Council of Trout Unlimited (TU),
40 distributed written testimony. He said TU's main concern is conservation of wild fish. At
41 one time, 16 million salmon returned to the CR with millions of white sturgeon. The
42 density of Native American populations in the Lower CR was as high as or higher than
43 anyplace in North America pre-Columbia. He said many of those Tribes did not have a
44 word for hunger because there was so much food available to them. Now the runs are
45 down considerably and a lot of that is hatchery fish. He said their concern is that
46 eventually we bring back the wild populations of the CR to harvestable levels to at least
47 more times than is currently there. He made several points listed on his handout:

- 1 1. Improvement in escapement goals. TU supports Bakke's comments and ideas.
- 2 2. Improvement in hatchery release so that there is less hatchery fish released on
- 3 wild spawning areas. Hatchery fish are a major cause of the demise of wild fish.
- 4 3. White Sturgeon population in CR is plummeting rapidly. At one time it was the
- 5 highest in the world. TU supports WA's proposal to eliminate commercial harvest
- 6 and turn to a catch-and-release program for recreational use. They need
- 7 protection.
- 8 4. Need more selective gear on the CR within the context of scientific study of the
- 9 Departments; whether it's OR or WA. Need to protect those runs from
- 10 nonselective methods and do it quickly.

11
12 Wolf said he wants to see commercial gillnetters continue to have jobs but he also
13 wants to see the people who own restaurants, hotels, and different businesses that cater
14 to recreational people in those rural areas to continue to have jobs. He said the
15 economic benefits of the wild fisheries are an important part of what TU teaches. We
16 need to make hard decisions that benefit the wild runs, whether it is selective gear, less
17 hatchery fish in certain areas, protection of white sturgeon. We need to make these
18 decisions based on conservation grounds. We need to make these decisions in the
19 interest of the future and in the interest of wild fish.

20
21 Commissioner Webber said that Bakke said we need to allocate to the spawning
22 grounds but we are currently allocating all of the native fish to the spawning grounds.
23 Within the recreational and commercial we have a limit on how much we can impact
24 those. He asked Bakke what differences are you are talking about.

25
26 Bakke said one of the things is carrying capacity, are you filling that? Do you have a
27 nutrient enrichment target for the river that the carcasses would provide, to sustain and
28 the support the productivity of the watershed? Are you maintaining your genetic and life
29 history diversity of that population through that escapement? It's more demographic and
30 ecologically based than numerical. He said numerical plays a role because you are
31 shooting to fill the capacity of the watershed with spawners. It goes much further than
32 that if you are going to have a viable, productive self-sustaining population.

33
34 Commissioner Webber asked Wolf, what the definition of selective gear is in his mind.
35 Wolf said we need to seriously look at barbless hooks for recreational and to look at
36 circle hooks, which promote a lower mortality in releasing fish. We need to look at ways
37 that are more selective and release fish with the least amount of mortalities. He said no
38 gillnets except in the off-channel areas using types of selective gear. If we are going to
39 encourage the commercial industry to use more selective gear we need to help them so
40 that they change over by providing economic boosts for changes they need to make.

41
42 Commissioner Webber said he heard on one hand we need to use selective gear; then
43 he heard we need to remove the hatchery fish from the spawning beds; we don't want
44 them there. Wolf said we do not want to remove all of them but lessen them. He is not
45 talking about hatchery fish in the SAFE areas but hatchery fish up in the upper
46 Willamette areas and some of the tributaries further up in the CR. He said as we
47 increase the number of hatchery fish that go into the SAFE areas, we need to lessen the

1 number of hatchery fish that are released in the upper Willamette and CR tributaries.
2 That's a tradeoff we need to make. Hatchery fish is one of the major causes of the
3 demise of wildfish.
4

5 Commissioner Akenson asked Bakke, how is what you are proposing different from what
6 NOAA fisheries currently does regarding accessing acceptable mortality rates on those
7 wild fish. Bakke said the pattern has been set by eastern Canada on Atlantic salmon.
8 You have an interception fishery and your goal is to control that fishery so you are able
9 to achieve your biological goals in the spawning streams. Those biological goals are
10 demographic in terms of numbers and species composition, and ecological in terms of
11 rearing capacity in those watersheds, protecting and seeding the habitat, maintaining
12 genetic diversity, habitat is supportive of life history requirements of the fish from
13 spawner, egg, juvenile, to smolt. It is a program focused upon maintaining the health and
14 productivity of each population by species in each watershed to build up those
15 populations. Right now we don't have the basis for accomplishing that. We have
16 suggested escapement goals, but we don't have a requirement based upon the
17 biological needs of the fish that are controlling upon the commercial and recreational
18 harvests.
19

20 Commissioner Akenson said all of those pieces are important, but how do they directly
21 tie with the allowable mortalities? These wild fisheries are under-producing and not even
22 close to carrying capacity. How does that tie with anything different than NOAA fisheries
23 saying that is how much more mortality is allowed by fishing versus a number that you
24 might come up with? Bakke said NOAA is not doing what needs to be done to recover
25 the species. He gave an example of Grays River where NOAA had scientific information
26 that the greys or fall Chinook couldn't sustain any harvest mortality. The guidance letter
27 from NOAA to PFMC and the states would not allow at the time 39% harvest mortality on
28 that stock. There's a big difference between what scientists are saying and NOAA and
29 what actually gets implemented through policy. That spread needs to be narrowed.
30 Establish a spawning escapement requirement, which is only advisory now.
31

32 Commissioner Wolley asked Pedrey if OW or other organizations had any suggestions
33 on how to systematically remove ghost nets from the different waterways. Pedrey said
34 specific to the CR he's not aware of any proposal specific or analysis on how to do that.
35 For Puget Sound there has been a major undertaking to remove derelict fishing gear
36 including ghost nets. Some of that was paid for by federal dollars through the Stimulus
37 Act. We would love to see ODFW undertake an analysis of where we have ghost nets on
38 the river even in a Transition Period.
39

40 Director Elicker invited the Recreational Panel to step forward.
41

42 **Recreational Panel**

43 Jim Martin, Conservation Director for Pure Fishing, said they will discuss the issue of
44 conservation, social equity, economics, and reducing conflict.
45

46 Bruce Polley, Volunteer with CCA of Oregon, read from distributed written testimony. For
47 years CCA tried to work towards a Lower CR free of gillnets. CCA and Stop Gillnets Now

1 Coalition qualified BM 81 for the OR ballot. The Governor asked the coalition to halt their
2 yes on BM 81 and work with this Commission to apply and endorse his directives written
3 on August 9, 2012. He said it is now the task of the Commission to take the steps
4 needed toward a truly sustainable fishery and to put the needs of the fish before the
5 profits of commercial harvesters. CCA has never stated that our goal is to end
6 commercial harvests. We believe as do fisheries scientists that non-selective gillnets
7 have no place in mixed stock fishery where endangered fish swim alongside fish meant
8 for harvest. We must find methods capable of harvesting fish without needlessly killing
9 and damaging non-targeted and protected fish and wildlife.

10
11 Polley asked the Commission to review *Bycatch in LCR Gillnet Fisheries* attached to his
12 testimony. It is based on studies and observer data provided by WDFW and ODFW, and
13 concludes that bycatch is a significant issue for gillnet fisheries, including tangle net
14 fisheries which had a 1-to-1 bycatch rate in 2001 monitoring. He said the bycatch
15 statistics for the 2010 fall Chinook fishery are a 1-to-1 ratio of bycatch species to target
16 Chinook and legal-sized sturgeon. CCA brings this to the Commission's attention to
17 demonstrate that bycatch and mortality are not imagined results of gillnet and tangle net
18 use. He said commercial fisheries function well on OR's coast without gillnets.

19
20 Another document *Selective Commercial Gillnet Comparison* shows promising results for
21 selective gear that has been tested in the CR by WA. He said commercial fishermen may
22 argue that they can make more profit with a gillnet than with live capture gear. CCA has
23 agreed to a compromise that allows for a sustainable commercial fishery to keep the
24 public as an important stakeholder in salmon resources, and maintain a viable
25 commercial fishing industry that can work with wild fish recovery. CCA asks the
26 Commission to hold fast to the intent of this process and not allow contingencies, triggers
27 and other excuses to continuing the use of gillnet. In regard to a previous question
28 about the definition of selective fishing gear, Polley said to CCA it means live capture
29 gear. When you catch a fish and can tell it is a wild fish that it needs to be released so it
30 can go spawn. He said about 95% of the current gillnet fishery in the Lower CR is 100%
31 catch-and-kill; there is no selectivity. Only a very small percentage which is done in the
32 spring time on spring Chinook mainstem fishing only; the rest is 100% catch-and-kill.

33
34 Brian Walter, Association of Northwest Steelheaders (ANWS) and Co-Chair Director of
35 Government Affairs, read from distributed written testimony. He is an avid supporter of
36 the CR sport fishery. ANWS has developed a rich history of accomplishments over 50
37 years. He said since the suggestion of a BM in OR and the Governor's compromise
38 directive in August, their membership is growing at an unprecedented rate. ANWS took
39 an unprecedented move and supported a no vote on BM 81 and put their faith and trust
40 in the Governor and the Commissions and allowed BM 81 to be defeated.

41
42 Walter said today OR Sports fishermen are paying more than \$34 million in annual
43 license fees and more than \$16 million in sport tackle excise taxes that make up a
44 significant portion of ODFW's budget. They estimate that a third of those dollars are
45 directly tied to CR sport fisheries. Walter said recreational anglers are paying ever-
46 increasing license fees to have the fisheries they fund constrained by a gillnet fleet that is
47 economically inefficient and unable to even remotely pay for their impacts. While

1 increases in recreational angler opportunity have remained relatively modest on the CR,
2 the sport angler's portion of ODFW's budget has increased. ANWS supports the
3 Commission in implementing the Governor's directive and believes this plan represents a
4 reasonable and superior compromise that will not only support wild salmon recovery, but
5 will also provide a meaningful future for the commercial fisheries.

6
7 Bob Rees, President of Northwest Guides and Angler Association (NWGAA), said he
8 represents about 30 members in the sports and guide charter fleet as well as other
9 businesses that rely on recreational sportfishing expenditures and the avid angler. He
10 said NWGAA supports the economic win-win that the Governor's proposal brings to the
11 table. Our industry is a catalyst for wealth transfer from not just the metro to rural areas
12 of OR but also from out-of-state to in-state. He discussed the positive impacts the fishing
13 guide industry provides to rural communities, and said there is a misconception that a
14 large part of guides are based in the Portland area. Of the 380 fishing guides in
15 northwest OR only seven have Portland addresses; the bulk of the members live, work
16 and spend their earned revenues in rural OR.

17
18 Rees said guides introduce opportunities to anglers that don't have them in their own
19 states or countries. Referring to an ODFW study in 2008, he said for fishing, hunting,
20 wildlife viewing, and shell fishing expenditures in OR the north coast ranks second from
21 the bottom in local recreational expenditures indicating that sportsmen that recreate in
22 their own area have to spend very little money to participate in a fishery they enjoy. The
23 north coast ranks second from the top for travel-generated expenditures from over 100-
24 200 miles away; \$44 million annually in saltwater and freshwater expenditures. He said
25 97% of anglers in the study said fishing was their primary purpose for traveling to the
26 coast; 29% stayed for two nights and 32% stayed three or four nights. Rees provides
27 daily fishing licenses to his customers. He purchased \$4,000 in daily licenses from
28 ODFW and is one of 800 fishing guides in OR. In the last stakeholder group meeting, it
29 was disappointing to hear some of the commercial fleet bring forth proposals to limit our
30 industry's capability to contribute to the rural communities. ODFW uses a figure of \$149
31 per day for average expenditure for a sport fishing trip. For the guide it is a minimum of
32 double that expenditure in what they bring to the rural communities.

33
34 The Governor's proposal means more stable seasons and opportunity to grow our
35 sector, and a strong possibility to triple the number of visitors to rural areas. They
36 support the proposal to transfer coho from upper tributary facilities down to the SAFE
37 areas. He said that does encompass sacrifice to those who fish on the Clackamas River
38 and in the upper tributaries. The sport community has made sacrifices for transfers
39 already taken place with no net benefit to the sports fishing community as it stands right
40 now. He said we, as the agency's largest constituent base, are responsible for the fiscal
41 integrity of this agency, and have always been cooperative partners in fee increases and
42 advocacy efforts with the Legislature. Rees asked the Commission to ensure that the
43 Governor's vision becomes a reality.

44
45 Jim Martin, Conservation Director for Pure Fishing, Director of Berkley Conservation
46 Institute, and NSIA Science and Policy Director, said he supplied the Commission with
47 more detailed testimony *The Economic Strength of Recreational Fishing* outlining some

1 of his experiences relative to CR fisheries management issues. He said this is getting
2 ready for the future, to change the design of these fisheries so we are better prepared to
3 balance the economic and social values, to use hatchery fish to create economic and
4 social values, and do a better job of our conservation mission.

5
6 Martin said they asked fishery economist Rob Southwick to look at what the economic
7 value would be just of reallocating the spring Chinook impacts. We allocate about 40%
8 of spring Chinook impacts to the commercial fishery right now. What would happen if we
9 offset those by moving them into the SAFE areas and compensating them with more
10 hatchery fish and were able to use those freed up 40% of the impacts? He referred to a
11 concern that a \$1 million hit was going to happen to the commercial fishery and said
12 Southwick's estimate was OR's economy would get \$6 million of benefit just for
13 reallocating the spring Chinook. He said staff's current estimate for the entire impact of
14 this is plus 16% for recreational fishing in the transition area and closer to plus 30% for
15 recreational fishing post-transition as we move toward the long-term. He thinks that is an
16 under-estimate of what the true potential really is.

17
18 Martin said for example it does not count what is going to happen to the Buoy 10 fishery
19 as you move coho down and hold them in saltwater longer and then recruit them into the
20 SAFE area fisheries for the commercial fishery. Buoy 10 is Astoria's most significant
21 fishery; it lasts 15 days from August 15 to Labor Day. The SAB program that staff is
22 proposing to compensate the gillnetters for the shifts in allocation would add another 15
23 days to Buoy 10 and be a huge benefit to the commercial gillnet fishery. The impact of
24 adding August 1 as the start date of that fishery is valuable to Astoria. By relocating
25 hundreds of thousands of coho adults to the lower river in Astoria and holding them in
26 saltwater longer where they actively bite, we could potentially add 30 days to the back
27 end of the Buoy 10 fishery, which would be an economic benefit to the lower CR.

28
29 Martin said in staff's analysis they do not account for what the possibilities would be of
30 using purse and beach seines at river mouths to be able to sort some of these hatchery
31 fish off of spawning grounds while they are still of high value. Because it is speculative
32 and we don't yet know how those purse seines might work out staff has not included those in
33 the economic figures. As you think of what the impact might be of this transition, the staff
34 suggested it might be between 5% and 10% on the gillnet fishery, keep in mind that is
35 not even calculating what extra benefits could accrue from selective fishing which not
36 only help the commercial industry and its economics but also helps us do our
37 conservation job by weeding more hatchery fish off the spawning grounds.

38
39 Martin said the NW is growing fast. Economic and census projections suggest compared
40 to 2000 census we will have doubled by 2050. It is not too early to think about how to get
41 ready for the future. When BM 81 qualified for the ballot our four organizations were
42 asked by the Governor to trust him and the Commission and to recommend a no vote.
43 The Governor has specific changes in his first letter, and his second letter has flexibility
44 because there was a concern that the commercial fishery would take a \$1 million hit.
45 Martin said that does not exist. Now we are concerned whether there will be any sacrifice
46 on the commercial fishery side. There has already been significant sacrifice on the

1 recreational side. He asked the Commission to not water down what the Governor has
2 committed to do and hold to the forms of his principles.

3
4 Commissioner Webber said he assumes that this panel is familiar with WA's proposal
5 which is not down the line with the Governor's proposal. Where would you fall? Martin
6 said he sees WA taking the principles of the Governor's policy and applying them to
7 those fisheries they are more concerned with. He sees WA supportive of what the
8 Governor is trying to do and actually going a little further. Instead of going to 80:20 in
9 long-term allocation of summer Chinook, they'd rather go to zero commercial allocation
10 and create more compensation in the SAFE areas. He supports that and WA's caution
11 on support is one his industry has supported for a long time.

12
13 Commissioner Webber said WA proposed large mesh nets above the Lewis River, which
14 are gillnets. Martin believes that WA is confident that selective gear will be there and
15 capable of catching the commercial share of upriver brights that are the big money fish
16 still coming out of the mainstem. With selective gear WA won't be leaving the upriver
17 bright commercial share on the table to recruit into Tribal fisheries and beyond. Martin
18 said from the Work Group comments, you don't want to leave that allocation on the table
19 either. Both Commissions are saying they want to encourage more selective gear where
20 they can; but the commercial industry is skeptical. He also believes that the WA
21 Commission has said if we are not ready at the end of the Transition Period to move to
22 industrial level purse or beach seining and other fixed gear, we would keep the option
23 open for large mesh above the Lewis River. To me that makes sense. He said the
24 Governor and a number of us are hoping that we have the right progression of
25 development and incentives on the table to allow the development of that gear.

26
27 Rees said a large part of our community puts a lot of faith in the study work and science
28 that comes out of ODFW. If it is a staff recommendation, largely you will find support
29 from a large component of our industry. That goes not just for the large mesh
30 conversation but also the barbless hook rule proposal and white sturgeon population.

31
32 Walter said from the Steelheaders perspective the sturgeon populations are a very big
33 concern to us. We also support reform there.

34
35 Polley said the Commissioners were talking specifically about the large mesh question.
36 He quoted the Governor's statement that challenged them to have a date and time
37 where there will be no more gillnets in the mainstem CR, and said we believe that is
38 what his promise meant. We believe that the selective harvest gear can work.

39
40 Commissioner Finley said earlier he asked about the historic allocation around 2008. He
41 said Martin used the term in his remarks "sacrifice" by recreationalists. Is that statement
42 related to allocation decisions by this Commission in and around 2008? Martin said it
43 relates to two sets of decisions made by a former Commission. One was that reallocation
44 that put a major sacrifice on recreational fisheries. The Commission at that time thought
45 it was re-establishing "balance". A lot of us testified that was a major economic sacrifice
46 to not only our industry but to OR's tourism; but there was no analysis or major concern
47 about that. The second sacrifice is all of the smolt transfers on the WA side and OR side

1 that essentially dried up tributary fisheries. We have supported it because it's part of
2 hatchery reform. But we've seen very little recognition of those kinds of sacrifices; they
3 assume we have other places to fish. We do hear a lot of concern about any impacts on
4 the commercial industry.

5
6 Commissioner Finley referred to Commissioner Webber's question about day and night,
7 beach seines and purse seines. In our field trip we discussed beach seining and the
8 possible conflict between recreational fishermen and beach seiners for the same body of
9 fish at the same time. He said the commercial fishermen said they tried to avoid areas
10 where they are just going to engender more conflict with recreational fishermen while
11 they are trying to beach seine. Is that a kind of strategy that you could support?

12
13 Martin said there is one day a week closed so you can gillnet during the day rather than
14 at night. We are used to gillnets operating at night and the recreational fishery
15 historically operating during the day. He said with purse seining it's a tide thing rather
16 than a night or day thing. He said is the recreational fishery willing to make sacrifices in
17 gear or location availability in order for the commercial fishery to effectively operate
18 selective gear? He said yes. It's part of a broader strategy that we generally support. If it
19 came down to no sport fishing on certain beaches at certain times to allow beach seining
20 we would be wide open to that.

21
22 Rees concurred with Martin's comments. Walter agreed. Polley said with spring Chinook
23 they already afford daylight gillnets.

24
25 Commissioner Anderson said when you talk about seining coexisting with the
26 recreational fisheries is this in the mainstem or in the SAFE areas? Martin said
27 recreational fishing is allowed in SAFE areas and can coexist with them, but in general it
28 doesn't occur in SAFE areas because SAFE areas are cleaned up on a weekly basis.
29 The numbers of fish are reduced dramatically, that is really not productive to fish. The
30 place to fish productively is in front of the SAFE areas where the fish are accumulating; a
31 lot of commercial fishermen object to that. In terms of developing selective gear in the
32 mainstem identify places and areas where the conflict is minimized but the opportunity is
33 there; for instance, the mouths of the Kalama, Lewis, Sandy, and Washougal Rivers.

34
35 Commissioner Anderson asked Martin to clarify what would be the sports industry's
36 response to restrictions of commercial fishers in SAFE areas or buffers or expansion of
37 those areas? Martin said he didn't think most recreational fisherman would care whether
38 you restricted recreational fishing in the SAFE areas, because most of them don't
39 harvest in SAFE area because most of the fish get cleaned up on a regular basis. What
40 is more problematic is expanding out of SAFE areas into bubble areas where you start to
41 water down the purity of a SAFE area in terms of hatchery fish. You use up a lot more
42 ESA impacts. Before we'd support that, we would have to have some clear evidence that
43 overall that is really required to have a manageable fishery.

44
45 Rees said, the last stakeholder group proposed a closure from Astoria to Buoy 10. If that
46 is at all viable or any proposal that expands the current SAFE areas of operation, this
47 room would overflow with people testifying against such a proposal. If the Governor's

1 vision has an economic component to it, and as Martin defined, restricting access to
2 these fish in areas of historic use by the sport fleet be would be detrimental to the
3 Governor's vision and this process as a whole.

4
5 Polley warned to not lose track of the fact that one of the biggest steps we're making is
6 the development of selective gear. He worries that we get too focused about the SAFE
7 areas making everybody whole, when there's a huge component of what needs to
8 happen biologically, commercially, to supply fish to the public, and making good use and
9 taking the step to develop commercial selective fishing gear to allow live sorting.

10
11 Martin added that the Hatchery Science Review Group emphasized that it will take both,
12 better use of SAFE areas and development of selective gear to get the job done.

13
14 Commissioner Anderson asked Polley for CCA's position on the transition to barbless
15 hooks in the recreational fishery. Polley responded we would endorse any movement
16 that would benefit the release mortality of wild fish. All we ask is if we make that change
17 and the good thing for the wild fish that we get the benefit from it.

18
19 Commissioner Wolley said white sturgeons haven't been a high profile fish in this
20 discussion, but their population is declining. What recommendations would you support?
21 Rees said he is not sure there is a way to increase that population at all. They just want
22 to prevent their continued decline and are open to any recommendations. Catch-and-
23 release versus consumptive would be a hard hit for their industry but one they are willing
24 to visit for the benefit of the fish. Conservation for fish species is priority one for our
25 industry and we will look at whatever we need to ensure the sustainability of species.

26
27 Walter said steelheaders are very concerned about the decline of sturgeon in the
28 Columbia River. Whether that decline is from a consumptive fishery or as bycatch in a
29 gillnet fishery, we are concerned on both angles. If that is what it took to move to a catch-
30 and-release fishery, we would support it.

31
32 Rees said NWGAA is concerned with conducting a mainstem fishery targeting fall
33 Chinook in the estuary in Zone 1 in early August when the water temperatures are
34 upwards of 70-degrees. The associated mortality rates on juvenile and adult sturgeon
35 released in the gillnet fishery used to be impressive. They've made some changes in that
36 fishery and only had one day this year to fish in Zone 1. But if there was a conservation
37 opportunity there it is do not gillnet the mainstem when it is 70- degrees; the release
38 mortalities are incredible.

39
40 Martin said on the issue of sturgeon a dominant factor is the level of flows in the spring
41 when spawning occurs. Sturgeon need big substrate and flows and it is going to get
42 worse with climate change. Also the sea lion predation is withering, and if we don't figure
43 some way out to get better flows for reproduction in the spring it doesn't matter what you
44 do with the fishery. The Northwest Sport Fishing Industry Association has supported
45 going to a moratorium on directed catch either in the gillnet fishery or the sport fishery,
46 for at least five years to catch our breath and decide on a long-term strategy.

1 Chair Levy said if we were to request that the recreational fishery move back from the
2 mouth of the SA would the recreational fishery be willing to do that? Martin said it is more
3 sensible to increase the numbers of fish coming to the SAFE areas so you get the same
4 numbers there because of the economic value that accrues from the fisheries there. For
5 example, there is no question that if you restricted the fishing at the mouth of Youngs
6 Bay more SAB would recruit to the SA, and you would take 15 days of the Buoy 10 start-
7 up. He said the gillnetters would be better off but recreational guides would be worse off.
8 That is why this redesign proposed by staff is so beneficial for Astoria as a whole.

9
10 Chair Levy said until we get the numbers and we know they are returning to the SA,
11 would the recreational fishery be willing to move back a little bit from the mouth of the
12 SA? Martin said the recreational fishery is willing to do whatever is required to make this
13 entire redesign work but would ask just what is it we are trying to accomplish here. It
14 sounds like we are trying to accomplish no impact at all on the commercial fishery and
15 plenty of impact on the recreational fishery. That is not the right tone to design these
16 fisheries.

17
18 Chair Levy said that has never been said and disagreed that the Commission felt that
19 way. Martin said that is the perspective of a lot of recreational fishermen in just listening
20 to the conversation. Chair Levy said she hopes they didn't get that feeling coming from
21 them as a Commission. Her goal is to find a happy medium for everybody and wants to
22 discuss this further with recreational and commercial where they might find a happy
23 medium for everybody.

24 25 **Commercial Panel**

26 Robert Sudar, WA Commercial Advisor for the Work Group, said he was also a
27 stakeholder during the 2008 discussion on allocation and is a marketer and sells high
28 quality fish to specialty markets. During a slide presentation, *Columbia River Salmon*
29 *Harvest, Sport and Commercial*, he said all of the wildlife money from licenses in WA
30 goes to support trout and steelhead and not salmon enhancement. He said 100% of the
31 salmon hatchery funding in WA on the CR comes from federal Mitchell Act money and
32 local utility monies. The sport money and the Dingle Johnson gear money all goes to
33 sport fisheries: trout, steelhead, and others.

34
35 Regarding mortalities, Sudar said both fisheries are very clean fisheries. His slide
36 showed the number of fish each sector caught and harvested and how many wild fish
37 were killed in making that harvest. We both do a good job of avoiding wild fish and
38 bringing hatchery fish to market. Sudar discussed sport and commercial spring Chinook
39 sharing ratios. He said as these hearings have taken place, their percentage has gone
40 down. There was a discussion that it went up at the last meeting but that is not true. OR
41 shows a higher value than WA did but the way it is buffered a good portion of our share
42 goes to the May fishery and we normally don't get a May fishery because the run is over
43 predicted. The sports fishery accounts for 70-80% of the mainstem harvest below
44 Bonneville Dam. He said it is already a sport priority.

45
46 Another slide showed the total harvest of tributary and Select harvest on the mainstem
47 on spring Chinook. Sudar said they actually have a lesser percentage when you add that

1 in. We are talking about keeping hatchery fish off of spawning grounds. His discussed
2 how many hatchery fish will pass over Bonneville during the Transition Period and said
3 the number will increase, so overall the two fisheries will actually be harvesting fewer
4 hatchery fish as were phased out. It will be worse in meeting HSRG requirements.
5

6 Sudar discussed declining license sales versus an increase in population growth in WA.
7 He said OR shows the same general downward trend in license sales. He said the
8 population growth is not being mirrored in license sales. Sudar talked about how the
9 fisheries will change under this proposal. They had two to three sport fishing days in
10 April; the removal of our fishery will only add two to three days to the sport fishery.
11

12 Regarding the summer fishery, he obtained staff observations on angler activities over
13 the summer Chinook fishery from mid-June to end of July. He said the angler
14 participation activity trend is consistent regardless of whether it's open for Chinook
15 during the whole season. There is not a lot of growth available in that fishery for the sport
16 community. He said the run is shared in WA.
17

18 Sudar said angler activity recently is no higher than it was 10 years ago. It is a fully
19 realized fishery right now and the sports fishery is getting the timeframes it wants. He
20 discussed sports day openings versus commercial openings. He said they are rarely a
21 full day; more 6-to-10 hours. It has been a steady trend downward for commercial and a
22 steady trend upward for sports. He noted that in 2008 there was no May spring Chinook
23 sport fishery because the run came in short of prediction but they were not fishing in that
24 fishery. Sudar discussed commercial harvest value. The difference is a potential \$1 -
25 \$1.25 million shortfall for the commercial industry that has to be made up somewhere to
26 keep us economically whole. There was talk about fisheries in the river in some years;
27 that has not been flushed out but that needs to be recovered.
28

29 Yesterday he testified before the WA Commission who announced that the SAFE
30 enhancements are not going to be four million or more for coho, they are going to be 1.9
31 million fish for the long-term enhancement. He said that number is going to come down
32 because most of those dollar values they are transferring are based on coho in the SA.
33 He said Chair Levy mentioned 1.4% but coho returns to the SA are typically about 1.8%.
34

35 Sudar said everybody has a different opinion about selectivity. He showed a graph listing
36 different fisheries in 2010 with targeted fish and protected wild stocks and compared the
37 sports ratio in terms of kept fish versus mortality in stocks they are trying to avoid. He
38 said the commercial fleet has observers on board their vessels for all of these fisheries.
39

40 Sudar talked about the Kitzhaber Plan and how to stay within Conservation:

- 41 • Gillnet harvest stays within its assigned quotas of ESA fish consistently.
- 42 • Gillnet fishery meets NMFS conservation guidelines
- 43 • Target stock vs. protected fish stock ratios in gillnet fishery are good.
44

45 Sudar discussed the Kitzhaber Plan and enhanced off-channel production:

- 46 • Majority of value in mainstem commercial harvest is high-value Chinook.
- 47 • Proposed off-channel enhancements will focus on coho, lower in value.

- 1 • Large increase in coho harvest over a short window of time drives prices down.
- 2 • Proposal Chinook releases will be only slightly higher than past release.

3
4 Sudar discussed the Kitzhaber Plan and the sport priority increasing economic value:

- 5 • Angler participation hasn't increased in last 10 years despite population increase.
- 6 • Correlates with flat license sales over the same period.
- 7 • Part or all of CR is open for sport fishing almost year round now.
- 8 • Staff has estimated in previous discussions that the entire commercial quota
- 9 might add 2-3 day, at most, to the April spring Chinook sport fishery.

10
11 Sudar concluded that the commercial fishery had nine openings for a total of 107-hours
12 and caught 31,000 Chinook worth \$1.75 million in ex-vessel value to lower Columbia
13 communities. He said that is \$7 million in direct sales or \$21.5 million in restaurant
14 sales, and almost 716,256 meals to northwest families.

15
16 Jim Wells noted Deputy Director Melcher's testimony about release mortality rates. He
17 was correct on the tanglenet -14.5%, and big mesh at 40%. The 10% sport is only in the
18 spring; there is a 15% release mortality in the summer, and 21% in the fall. That's a big
19 difference and that's very important. Our 40% big mesh net, we have put it on the shelf
20 for selective fisheries and have not used it 24-hours in the last five years. We don't want
21 to use that net unless it's absolutely necessary. Wells said later a gentleman will talk to
22 you about ghost nets. He had a federal contract to drag the river for ghost nets and it has
23 already been done. We have no representative from our District on the Commission at
24 this time; no changes should be made until we are represented. We put forward a
25 candidate who got no consideration.

26
27 Wells referred to his handout *Evaluations of Options for Increasing Opportunities to*
28 *Commercially Harvest Salmon in Existing Select Areas*, the OR policy paper from
29 September 21, 2011. He said it talks about additional gear and read, "*The intent is not to*
30 *replace gill nets as a method of commercial harvest, but to provide managers and fishers*
31 *additional options for increasing access to harvestable stocks and species of salmon.*"
32 "*If that gear proves economically viable the states would consider the gear to be a viable*
33 *candidate for implementation in **addition to, not instead of, the existing gill net fishery.***"
34 He said the last highlight involves Select Areas, "*Expanded opportunity in the Select*
35 *Areas would be **in addition to, not instead of, opportunity in the mainstem...***"

36
37 Wells said a deal is a deal. The Governor kept his promise to the Tribes on casino
38 issues, so how about us? There is a promise on paper not being kept. There should be
39 no reduction in commercial impacts on any run until promised fish are delivered to SA,
40 proposed expanded areas are identified, and funding is secure and in place. He said
41 somebody told the Governor that cutting our impacts from 50:50 to 70:30 and 80:20 is "a
42 modest shift". Had we been down to 70:30 we would have lost 18,000 valuable upriver
43 bright salmon. They would have been in the 60,000-plus harvest level and we would
44 have had 26,000 to 27,000; currently we are at about at an even split in the harvest.

45
46 Wells said the Kitzhaber plan has two assumptions: 1) gillnets are a conservation
47 problem and need to be removed from the mainstem; and 2) the recreational fishery

1 needs further enhancement. In the spring in a 10-year average we average about 6,000
2 early high-priced fish and hardly any bycatch. There is 2% wild winter steelhead cap of
3 mortalities and on a 15,000 fish run that allows 300 kills. He said we use less than half of
4 one-percent. The sports fishery kills considerably more than the gillnet fishery in wild
5 winter steelhead.

6
7 Wells said he bought two tanglenets, one with a steelhead excluder, a recovery box, and
8 a pump; an \$8,000 to \$10,000 investment. Now we may not have a mainstem fishery to
9 use it. That is an unkempt promise. The summer over an eight year average is about
10 3,000 fish. It's a smaller fishery on a 75,000 fish run. They are talking about doubling that
11 run now with Chief Joseph production in the future and that could turn into 6,000 or
12 7,000 high-value fish. He said they got called out by the CCA for sock-eye bycatch in
13 the summer. We use a large mesh net and it was a half-million run with a one-percent
14 Snake River mortality cap; it can be 5,000 kills. The commercials caught 400 sockeye in
15 that fishery; the sports fishery caught 4,500.

16
17 They talked about releasing sturgeon out of the nets. In 25-years of tagging, the States'
18 run contract gillnetters to tag these sturgeon, they use a 7.74-inch big mesh net; 92,000
19 sturgeon have been handled and recorded by state people on the boats. There were 20
20 mortalities in that 92,000 fish handled. Wells said before the Commission talks about
21 hook-and-release in the river he wishes they would compare the information he just gave
22 them to the Idaho study.

23
24 Steve Ficke, West Coast Sea Food Processors Association (WCSFPA), referred to a
25 map off to the side and stepped away from the microphone to talk about the location of
26 the SA on the CR. Ficke then said there is a reason why fish are spread out over the
27 river. When you have collapse in stocks you have other fish available for harvest and
28 sustainability. He worked with a gentleman from Portland who studied how people
29 spend their money in recreation. With recreational dollars if you don't have an
30 opportunity you will spend it somewhere else. Ficke talked about positive points in the
31 Governor's plan:

- 32 • Use of Coho not used in hatchery system should be acclimated into areas and
33 harvested; create opportunity for recreational and commercial harvest.
- 34 • Consider use of tangle nets in the fall for coho, which were over-fished in the
35 1980s and managed into an ESA status on OR coast and CR. Fishermen have
36 paid the price for that for four decades.

37
38 Ficke addressed staff's presentation:

- 39 • This proposal does not save or recover any more fish that need recovering and
40 build back.
- 41 • It's full of assumptions. Need guarantees that you will see fish come back into
42 these areas.
- 43 • The Governor's plan says we will all be economically better off. He does not see
44 that happening. For accountability this is going to take six years before we see
45 the first part of this plan being successful or not and folks will be gone in this
46 process in six years.

- 1 • Economics. Ficke processes salmon. He said this does not take into consideration
2 the processing, wholesale, retail, restaurants, or tourists that come to the coast for
3 commercial fishing. An example of commercial industry is the Tillamook Factory; it
4 draws people to the coast.
- 5 • *US vs. Oregon*. Other people have different opinions of how they read this
6 proposal. That is going to have to be discussed down the line; he would not make
7 the assumption that the analysis is maybe completely true or not.
- 8 • Every government agency on both sides of the Lower CR opposes this plan,
9 including Astoria and Seaside chambers. Support industries that benefit both the
10 recreational and commercial industries oppose this plan; and there are other
11 letters.

12
13 Ficke said 38-to-12 was the margin in Clatsop County on BM 81. In the past they have
14 had very successful collaborative efforts working with sport, commercial, Tribal, and
15 other interests. He said we had not had a summer fishery in 50-years and we got that
16 back on a sustainable level. We have been advocating for water flow and we deserve a
17 part of this. For spring Chinook none of us had a fishery in the mainstem for upriver fish
18 for 25-years until 10-years ago when we got it back. Ficke said we need to work
19 collaboratively together and this does not do it.

20
21 Commissioner Akenson asked Wells about data he presented on mortality rates. What is
22 the source of that data? Wells said it is from ODFW. Once again, we have with our
23 tanglenet that we use - 14.5%. Commissioner Akenson asked what year or what
24 document that was from; she wanted to see it. Wells said she could clarify it with ODFW
25 staff; but that is accurate information. Sudar said he had a copy in his car; he would bring
26 her a copy. He said that is what staff sent them when they asked about the different
27 rates. Wells said when Deputy Director Melcher talked to them it was only the 10% for
28 the sport fishery. Although the 10% is accurate it is not the total picture.

29
30 Commissioner Finley said in regard to sturgeon handling Wells said 92,000 sturgeon
31 handled and 20 mortalities in the net and not after they were released. Unless you find
32 them you do not know what happens after they were released, do you? Wells said no,
33 but we do have a study that tracks mortality after the release. The people that were
34 contracting the tagging for the states did a study; there were empty net pens for salmon
35 in the Tongue Point area. Over two different years in June, July, and August they took
36 200 sturgeon and put them in some empty net pens under different water temperatures.
37 They released some and kept some in the boat. They watched them for 48 hours. They
38 came back and all 200 were released in Number 1 condition without one mortality after
39 48-hours.

40
41 Commissioner Webber clarified that the gillnet's position is there is nothing about this
42 that is fair to you. Ficke said some parts of this plan are constructive: 1) acclimate more
43 hatchery fish into other areas where they won't stray and can be harvested by all user
44 groups; 2) utilizing the tanglenet in the fall to catch more hatchery fish and protect wild
45 fish on our impacts. He said the data shows we have a very clean summer fishery in
46 August with a 9-inch gillnet; they are a selective gear. You define selective gear; these
47 nets are all different sizes for different fisheries so they are selective. That is why the

1 steelhead impact is so low versus some of the hooking mortalities. We should continue
2 to work collaboratively to find other solutions to be more efficient in harvest but that does
3 not mean you get rid of the traditional harvest methods. We have people working with
4 staff on research projects to see if there is a better way to make wheels.

5
6 Commissioner Webber said we talk about gillnets and tanglenets and mesh size. Ficke
7 said a tanglenet is a lighter ply net and is used to hook the nose. A gillnet is more
8 developed to gill a fish for the size of the head. Wells added that it is different in how you
9 hang a net. A traditional gillnet you will hang so the mesh stays open and makes it
10 easier for the fish to go in. Tanglenets are hung way in with a lot of slack; more like a
11 wrap. With tanglenets they are limited to 45-minute drifts with a recovery box.

12
13 Commissioner Anderson said a couple of the recommendations put forth in response to
14 the first staff plan was that there should be a demonstration of funding for off-channel
15 enhancement secured before significant allocation shifts or geographical shifts happen.
16 Those shifts could be based on meeting some of the commercial objectives. How do you
17 think that could be built into a policy framework? Sudar said you are asking us to cut
18 back our fishery significantly and change the kind of fish we're catching for the promise
19 of more fish in the future. If the states can afford to add these smolts, why wouldn't they
20 do it anyway? Everyone would benefit from that. If the returns are significant, we can
21 look at the benefits of transitioning our fishery off the mainstem and into SA. But they are
22 immediately ratcheting our fishery back and replacing it with fish that may come in the
23 future and he cannot buy that.

24
25 Wells said good comment concerning the economic replacement promise. Also, in
26 response to Chair Levy's question about 1.4%, some panel members from the
27 recreational side said just use coho for an economic repay to the gillnetters. Coho is a
28 very erratic fish in the way they return. They are very vulnerable to ocean conditions. It's
29 very risky to run a fish based on a high percentage of economic compensation on them.
30 He gave an example. We have a healthy balance on this river now, so why do you have
31 to take us out to enhance a sport fishery that is already robust?

32
33 Ficke added that it's really important in marketing fish about spreading different species
34 of salmon over nine months. Consumers want fish in February and are willing to pay a
35 high price for it. We also have a strong demanding market for summer Chinook. There is
36 some place for recreational fishing on the Columbia all year. In regard to social
37 economics, these community dollars stay in the rural communities. We are trying to
38 mesh together a rural-urban divide, and this proposal doesn't do it.

39
40 Commissioner Finley asked Sudar for his perspective on the 2008 reallocation decision.
41 Sudar responded there were two plans. The first had a couple of Commission advisors
42 and mostly individuals involved in it. But the sports community backed out because it
43 wasn't going where they wanted it to. That one died, but restarted it two months later
44 with one more heavily towards Commissioners and more lightly towards advisors. We
45 thought we had an agreement of 40:60 on spring Chinook, but it came out at 35% for the
46 commercial fleet. OR didn't feel that was fair, and picked 40:60 for a baseline value. The
47 WA Commission stayed at 35:65 and that is where we have been.

1
2

Public Testimony:

<p>Karl "Dick" Helberg, Warrenton, OR</p>	<p>Dick Helberg, Mayor of City of Warrenton, distributed letters from the City of Warrenton, Clatsop County Board of Commissioners, City of Astoria, Port of Astoria, and Clatsop Community College. All expressed dismay with the Governor's plan. He said this plan is an attack on Clatsop County's already depressed economy. We have a lot of low-wage jobs that are tourist related. With that, we've had a 40% increase in demand for food from our food banks. We need good paying jobs. We don't need part of our heritage, part of our tradition, and part of what our families depend on, to be removed from us, and the Governor's plan does exactly that. When Measure 81 first came up, I said "they're going to cut the head off the gillnetters." Then the Governor came up with a plan, and I thought maybe he was going to be a bit more lenient than that. But all this does is, instead of cutting our head off, it just cuts our throat. You can't take half of a man's income and expect him to do better. We don't need more tourist jobs. We have millions of tourists, and most don't fish. More minimum wage tourist jobs will increase the number of people in need.</p> <p>Mayor Helberg said we once had a vibrant economy with many companies from the fishing industry. Now it has shrunk and the schools don't grow, so it has become largely a retirement community. You can't build your whole cake on tourism; it should be the icing on the cake but it's become the cake. The County is partially funding the net pens right now, but the letters say they are going to have to review this. The elected officials on the Lower River communities need to have a seat at this table. He said 47% of the public doesn't pay federal income tax. It's bigger than that in Clatsop County.</p>
<p>Blaine Ackley Hillsboro, OR</p>	<p>Blaine Ackley, Coastal Conservation Association (CCA), had to leave the meeting but left written testimony. He wishes to see recovery of OR salmon and steelhead fisheries to a sustainable level. Key points in his letter:</p> <ul style="list-style-type: none">• 20% of electricity bills devoted to saving salmon and steelhead through EPA; that's \$802 million or \$340 per fish that passes over Bonneville Dam.• Hatchery Scientific Group in 2000 said most effective way to insure salmon and steelhead recovery is implementation of selective fisheries.• 95% of current commercial harvest in Columbia River (CR) is completely non-selective.

	<ul style="list-style-type: none"> • WA Fish Commission has demonstrated over past three years that use of a selective seine net is a commercially viable option to use in catching salmon and steelhead. <p>Ackley's letter urged the Commission to take the lead in elimination of non-selective commercial harvesting of endangered salmon and steelhead by adopting rules and regulations to make it possible.</p>
<p>Senator Betsy Johnson, Tillamook, OR</p>	<p>State Senator Betsy Johnson, Senate District 16, represents Columbia River from the mouth to the confluence with the Willamette River. She said the Governor's goal is to have an economic gain for both the sport and the commercial fishermen. However, the plan as currently drafted hits the coastal communities very, very hard. The commercial fleet could lose \$1.5 million per year, or up to 1/3 of their current revenue. That doesn't account for the loss of money from the processors and others in the community. She said this plan will likely put people in my Senate District out of work. The quality of fish caught in the mainstream Columbia River represent the best in the world, and are sought all over the country. We should spend more time marketing these fish and not taking them away from the consumers of OR.</p> <p>Senator Johnson said commercial fishermen always need access to the mainstream fish as they do now. The testing of alternative gear is good, and should continue, not only on the commercial side of the equation, but on the sports side as well. But this plan does not do that. The commercial fleet is proud of the work they've done on the tanglenet, which has lowered mortality rates. Investing in SA is also a good thing, but those areas are small and don't work for the entire commercial fleet. They are there to enhance the fishery, not to substitute for the mainstem Columbia. Everyone keeps promising that the investments will return more fish. If people are so sure of that, then why wouldn't they be okay with putting a trigger into the plan that no shift in allocation happens until these are fully funded, and all of the projected fish actually return.</p> <p>The Senator submitted a letter dated October 17, 2012 from Senator Jeff Kruse, Chair of the Coastal Caucus (nine members) to the Governor. She said the letter she printed out today is not a conformed copy. The letter concludes: "Like you we think that any plan that fails to live up to the goal of enhancing both commercial and recreational fisheries within a conservation framework is unacceptable.</p>

	Therefore the Coastal Caucus must oppose your plan, as you propose to currently implement it.”
Randy Woolsey Tigard, OR	Randy Woolsey, Northwest Sportfishing Industry Association (NSIA) and co-owner of Tom Posey Company, distributed written testimony and said they represent eight manufacturers of sport fishing tackle and sell to wholesalers and retailers. The company is directly dependent upon the health of sport fishing opportunities. There is no fishery more important to his business than Columbia River salmon. Over the past 35 years he’s seen many companies go out of business; closures and restrictions on CR salmon fishing has played a major role. He said Tom Posey’s staff has been scaled back from seven to four. Many wholesalers have gone away. They only exist if there are retailers to sell to. The status quo has had us in the mode of survival rather than growth. The Governor’s plan will allow my industry to grow and prosper and contribute to growth. He urged the Commission to adopt the Governor’s vision and move OR forward in a positive direction. It will provide immediate economic benefits to his business, and to other businesses throughout OR and WA.
Jim Eibert Oregon City, OR	Jim Eibert, CCA and an avid sports fisherman since early 1950’s, asked the Commission to take action this year. It’s important to both sides of the issues. He urged the Commission to remove gillnets off the mainstem Columbia and into the SAFE areas of the river. He helped gather signatures for BM 81. He said we hate to do that all over again, but we will. He also asked the Commission to take action on the sturgeon fishery, which is in decline; the oversize catch and release.
Cody Herman N/A	Cody Herman is the TV host of Outdoor GPS, a local sports television show “Outdoor GPS”. Its purpose is to educate the public on how to enjoy the outdoors. The popularity of the show is due to the public wanting to enjoy the outdoors. He said although this has been a much contested issue, this is not a sport versus a commercial issue; it is a conservation issue and how we can better stewards of our fisheries management. Herman said the Governor’s directive is the best direction to go. It is not the best situation for either sport or commercial fishermen, but it is the right direction for us to be proper stewards of our environment. Measure 81 was a means to an end, to bring the issue into public view. We sports fishermen stepped down on 81, and hope that the Commission and Governor will also do their part.

<p>Nathan Rogal Warrenton, Oregon</p>	<p>Nathan Rogal distributed written testimony and said his business, entire industry, culture and way of life are in the Commission's hands. He asked the Commission to reject the Governor's SAFE for salmon plan which relegates the gillnet fleet to very small areas near Astoria. He said the gillnet fishery was our region's pioneering industry. Over the decades the industry has adjusted to survive within the requirements of all regulating agencies. It supports family-wage jobs; a variety of businesses depend on gillnetting. He said those pushing the SAFE For Salmon Plan are a small but vocal minority, and it's hard for me to comprehend their sense of entitlement to fish the Columbia, especially when every lake, river, stream, ocean and pond is open for recreational fishing. Their leaders will tell you they're not trying to put commercial fisheries out of business, but their true intentions are revealed when at a work session in Portland they clapped and cheered when one commercial fisherman explained how it would put him out of business.</p> <p>Rogal said this is a no-win proposition for commercial fishermen. Opponents will tell you gillnets are indiscriminant killers of beavers, otters, birds and other wildlife. The truth is we kill less unintended wildlife than the sport fishery. They already have the majority of fish and they want more. Those who say the nets are doing all this killing are not familiar with the fishery. He said the economic devastation to lower river communities, loss of our culture, heritage, way of life and loss to consumers is huge. Previous commissions rejected SAFE for Salmon. He urged the Commission to reject it and said the voters spoke loud and clear November 6 that they want us to catch fish in the mainstem Columbia.</p>
<p>Art Isreelson Gresham, OR</p>	<p>Art Isreelson, Association Northwest Steelheaders (ANWS), said if the gillnetters make so much money fishing they don't make it all on the Columbia River. You see many of their boats going to Alaska by barge and by truck. Remember, CCA sponsored BM 81 and a coalition of organizations joined them. Then we changed our minds and voted NO, in support of the Governor's program. If commercial fishing is so important, why did Bumble Bee pull out of Tillamook?</p>
<p>Gary Soderstrom N/A</p>	<p>Gary Soderstrom, a fourth generation Columbia River gillnet fisherman, said his family has fished on the river since 1872. He had to back out of fishery politics due to health issues. But he came back because he's upset about the fish grab that's happening here. He said the voters just told us they</p>

	<p>want us in the Columbia River. They backed out because early polling showed we were going to beat this measure. He serves on the Lower Columbia Watershed Council which does a lot of habitat work; and on the state Restoration Enhancement Board, representing the gillnet fishery. They spend hundreds of thousands of dollars doing restoration work, and just spent \$88,000 on a project on Smith River. He said we are conservationists.</p> <p>Soderstrom said in the 1950s, we were told that if we gave up the coastal rivers we could have the Columbia River. In the 1970s, we were told if we give them the steelhead, we could have all the salmon. Now they want everything. They want to stick us in a place that is totally impossible to be viable. We will lose access to the prime salmon in the Columbia in the springs and summers. We represent the consumers, the people who are paying 95% of the cost of raising these fish. We know how to stay away from the steelhead; we're real selective with the gear. Sports fisheries follow these fish from cradle to grave. They are killing the smolts with poisonous eggs. They play them when they're trying to spawn. We have a short window after which we are done. He said this is a round-the-back-door fish grab. If CCA thinks they can come back with another ballot measure, come on, we are ready to go again. Consumers want those fish and they are the ones that pay for them.</p>
<p>David Eng Eagle Creek, OR</p>	<p>Dave Eng, NSIA, distributed a copy of <i>Salmon Trout Steelheader</i> (he works for Frank Amato Publications, selling advertisements). The magazine has lost jobs. Given the job losses that the sports industry has endured it is tough to hear that the commercial fleet is being protected with a 5% impact. He supports the Governor's approach to maximizing the economic, the plan is a compromise. He said there has never been a commission that he can recall where they discussed how to protect his job. We can turn this around. OR should be a fishing destination capital of the world and it can be with the Governor's plan.</p>
<p>Jack Glass Troutdale, OR</p>	<p>Jack Glass, Chair of Restoration and Enhancement Board, distributed a copy of <i>Northwest Sportsman</i> magazine. He referred to page 61, his ad as a fishing guide, and said he's been a fulltime fishing guide for 30 years. He said fishing guides are on the CR fulltime; he and his son depend on the CR for their income. He came today because he was worried there'd be rhetoric about guides. He said license sales through guides are amazing; one boat can generate</p>

	<p>up to \$10,000 in license sales; two boats - \$20,000; 10 boats - \$101,000; and 300 boats that work the CR generate \$3.5 million in license sales through fishing guides alone. It is a viable business, and we depend on the CR for our livelihood.</p>
<p>Kevin Brisbois Tualatin, OR</p>	<p>Kevin Brisbois is an angler that takes his kids fishing. He is a typical voter and everyday fisherman. He said he doesn't like hearing about people losing their income for any reason. Today is the first day he's actually talked to a commercial fisherman and he'd hate them to lose their income. He also hears that gillnetting is bad and we have to protect wild fish. He has a lot more to learn and asked the Commission to find the extra money and put more fish in the river.</p>
<p>Brooks Eilertson</p>	<p>Brook Eilertson has worked in sportfishing industry 35 years. He is excited to testify in what could be a win-win solution for CR spring Chinook salmon management and hopes the Governor's plan happens. He worked at GI Joe's for many years as a tackle buyer. All 28 stores were impacted by the draw of the CR spring Chinook fishery. Maintaining the inventories of tackles and lures for this fishery was difficult. They sold hundreds of thousands of dollars of springer fishing tackle. In a competitive world there was never an option for being out of a lure. In the CR when the fishing was a 70:30 split it meant huge profits for retailers. He wondered if we had the opportunity with the properly aligned season whether GI Joe's wouldn't still be around; 1,200 people lost their jobs. He believes in the SAFE program; it is a win-win. He doesn't want to see the commercial fishery go away, he just wants to see sports fishery grow.</p>
<p>Dan Grogan Portland, OR</p>	<p>Dan Grogan, owner of Fishermen's Marine & Outdoor, said they have been in business 37 years and employ over 150 people. He has watched sporting companies go out of business and lose over 2,000 jobs. At this point we are one of the only OR-owned companies left; there is only one commercial gear business left in OR. There are not enough impacts and resources to maintain non-Tribal commercial mainstem fisheries and recreational fisheries. I believe that SAFE areas were built for this reason. In 2008 we went through a process like this, but in the end we transferred smolts to SAFE areas and got less recreational opportunity. He said it is time to finish this and adopt the Governor's original plan fully. It is time to move on and work together to fund the Governor's plan and create and keep jobs.</p> <p>Commissioner Webber said Grogan supported getting</p>

	<p>commercial fishermen off the mainstem? Grogan said yes. Commissioner Webber said do you understand that the Governor's plan didn't take commercial fishing out the mainstem, it just took gillnets out? Grogan said yes. As a member of NSIA he would support more selective gear. In regard to release mortalities, if we bring ocean fisheries into this commercial conversation it dwarfs sport fishing. Where we can access the fish is where we're talking about, and that's where we make our living.</p>
<p>David Quashnick Astoria, OR</p>	<p>David Quashnick, commercial fisherman, said it sounds like we gillnetters have messed up a lot of people's lives and that a lot of jobs have been lost because of us. I don't understand why we need the Kitzhaber plan. He said over one million OR voters wanted us to fish the Columbia. If anything we should get more fish to the non-fishing consumers; it is their fish that we catch for them. They paid for them through power rates. The plan won't work if it eliminates the CR fishery. The voters have spoken.</p>
<p>Jesse Kinnanen Astoria, OR</p>	<p>Jesse Kinnanen is a commercial fisherman who wants to provide for his family. He said to say you're going to take the \$30,000 investment he took from his retirement to purchase a boat and put him in a mud puddle with 250 other guys is absolutely ridiculous; especially when you want to put us in there and not eliminate sport fishing. You talk about all the jobs that have been lost because of gillnetting, the economy is bad and everyone is hurting. He said the economic value that sport fishermen bring to Astoria; they are a huge inconvenience for residents. He said he wants to work and all these people will take his livelihood away. If it goes to seines, I'm done. I can't afford to buy a seine net. I can't afford to make those changes to my boat. I'm just trying to survive." We are all conservationists, but eliminating gillnetters is not the answer. He also fishes in Alaska because he has to go where the work is throughout the year. When the fish are not running in the Columbia, he has to go elsewhere. This is a huge deal, and I hope this plan doesn't go through because 100% it will put me out of business.</p>
<p>Jim Mickel Beavercreek, OR</p>	<p>Jim Mickel, sports angler and owner of RB Boats, is a custom boat manufacturer, and conservation advocate. He supports the Governor's plan. He said you have the commercial interests speak about job losses and negative economic impacts. He is here to let you know of the positive impacts that sustainable CR fisheries have on my rural small business. He buys materials from over 20 vendors, which</p>

	employ thousands of American family wage jobs.
Justin Gifford Astoria, OR	Justin Gifford, a commercial fisherman, has worked all his life (since age 16) to build up what he has today. With the Kitzhaber plan he'd have to start over.
Josh Gifford, Napa, OR	Josh Gifford, commercial fisherman, said he started in this industry five years ago. He put all of his "blood, sweat and tears into this business" and now it's getting taken away from him. He said there is no way he can support his family if taken off the river. This is not a feasible plan for my family.
Cary Johnson Astoria, OR	Cary Johnson, fourth generation commercial fisherman, has two kids at home and he's here to represent them. He said if this ill-advised plan goes into effect, he will be out of business immediately and placed into bankruptcy, which puts the financial future of his family into jeopardy. This is a very serious deal. The Governor has decided to politicize an issue that should be based on science and facts. Not one salmon will be saved by this plan; it simply shifts an allocation from one group to another, and at the expense of our communities. He is an elected director of the Clatsop Soil and Water Conservation District. He said we depend on salmon, and salmon depend on us. What happens to the salmon if we are taken off the river? We work for the salmon. The people have supported commercial fishing on the mainstem CR by a landslide. This proposal would nullify the vote of the people. He said he has never seen a dead duck in his years of gillnetting; it's a nonissue on the CR. It bothered him to hear Jim Martin tell him what's good for his business. He urged the Commission to back off and take another look at this plan. We need more time to analyze it.
Stan Johnson Astoria, OR	Stan Johnson, general contractor, said this issue is driven by greed and there is no compromise. When someone punches you in the face and the solution is for you to cease to exist, that's not a compromise. He said the fish on the CR belong to all the people of OR, and they voted overwhelmingly in favor for salmon for all. It would be morally wrong for you to engage in this social engineering to satisfy the greed of a select few, rather than protect the needs and rights of all Oregonians. This is not a conservation issue. He urged the Commission to help the Governor out of the political jam he's in by rejecting his plan.
Rick Quashnick Warrenton, OR	Rick Quashnick has been a gillnet fisherman on the CR over 40 years. He said he has seven grandsons and hopes they

	will have a choice to become gillnetters on CR.
Rick Atwood Molalla, OR	Rick Atwood, fisherman, said he was a representative in OR for 25 years and maintained 125 accounts. He went into the boat business and now owns Watershed Boats. He saw what has happened on the OR Coast that the mayor and others talked about. He once had accounts all over there; one year he wrote \$3 million in tackle business but that is all gone. He is a past president of CCA. He said when they approached us to get signatures for BM 81; I sat in parking lots like a lot of good people here did. He said it was so easy to educate people; 90% of the public has no idea what gillnets do. He was 100% in support of BM 81 and didn't want to go with the Governor's plan in the beginning. He saw through what they did and agreed with the people who took that proposal. We do support the Governor's plan and ask the Commission will endorse it.
Mike Wullger Astoria, OR	Mike Wullger, Salmon for All (SFA), has been a commercial fisherman for 37 years. He said opponents backed off of BM 81 because of hatchery reform and enhanced SA. The Governor's Plan doesn't work and it puts him out of business. Even if you kept the sports fishermen off of our Youngs Bay fish, there is not enough time or area to make a living. You've seen how small it is; it's a dog fight now. Sports fishermen caught so many fish this year that they wanted to donate to food banks so they could catch more.
Brian Tarabochia Astoria, OR	Brian Tarabochia, SFA; a commercial fisherman, buyer, and test fisherman, said he has done work for NOAA fisheries. He distributed handout <i>2009-2010 White Sturgeon Holding Evaluation</i> . He spoke on the issue of ghost nets. They did a two-year program of removing river debris from the CR bottom, crab pots, rope, and net. Program was through the Sea Grant. He said they did ten days per year from River mile 5 to River mile 25. We removed rope and crab pots, but never found a so-called ghost net. On River Mile 22 to 25 we didn't find a single ghost net. Our river bottom is made of sand; we're not fishing in reefs. He said we do a very active dredging program throughout the CR. If anything's going to suck up a ghost net, it will be a Corp of Engineers dredge. A friend of his who works on the dredge said he has never found a ghost net or any other gillnet-related debris. He has fished for 25 years and has never come back with less net than he left with. Tarabochia said the bigger issue is bird predation. If we're

	<p>going to sit back and throw stones, we have an ocean sport fishery that has a 50-to-70% noncompliance ratio. You can achieve that number through OSP's Action Plans, talking about a hook-and-release fishery that gets caught with barbed hooks, unclipped fish, non-retention, and in some cases not even a valid license. We are not the problem here. The seine fishery will have a lot of conflict with sports fisheries. He knows from experience. You're not going to like the seine. You're going to put 250 seines on the CR and it's not going to work!</p>
<p>Hobe Kytr Astoria, OR</p>	<p>Hobe Kytr, staff for SFA, distributed <i>Outline of the Select Area Fisheries Enhancement (SAFE) Project</i>. He is a consumer who works for a commercial fisherman "because I know who fishes for me." Kytr testified in opposition to the SAFE Project. He was co-author of <i>Lower Columbia River Salmon Business Plan for Terminal Fisheries</i> in the mid-1990s, the scoping plan for expansion for fisheries in Youngs Bay. He said the primary sites have been developed and are all overcrowded. They will not serve the fishermen upriver at all.</p> <p>Kytr said completely missing from today's discussion is the funding question. Without funding this is not going to work. He distributed <i>SAFE Cost Share 2012</i> pie chart, which shows funding is a big issue. The Bonneville Power Administration has been the primary funder of this program (47%) since the early days. Northwest Power and Conservation Council, in the last funding cycle, insisted they'd implement through FY 2016, that the project would be self-sustaining by 2017. He said that means by the time the Governor proposes to have our fishermen transition to entirely fishing within the SA, 47% from BPA will be gone. There needs to be backfilling on half of the cost of the program. If BPA pulls out, there's a good chance that the NOAA Fisheries will pull out because of federal Mitchell Act funds. Together they comprise 66% of the funding. He said you're about to consign our fishermen to a program that is on a short cycle towards termination; this does not inspire confidence. We need assured funding for this program, for any of this to work. Frankly, we don't believe it. Kytr distributed a manila envelope of local community letters.</p>
<p>Brenda Wall Astoria, OR</p>	<p>Brenda Wall, SFA, said her family has fished for over 100 years on the CR. Our food banks should be filled with canned salmon. This plan is going to terminate the most monitored fishery and give priority to the most unmonitored</p>

	<p>fishery. There will never be a hook monitoring study on the CR; hooks are not selective. She said why has the sport fishery leaders refused to sit down with the commercial industry with an attitude of respect, honor, and eagerness to work toward more fish for everyone. They must use hatred and misinformation to get their members on the warpath and to keep the cash flowing to them. The Governor is ignoring that the law states that there will be equitable sharing of fish for all users. The sport fishery had the nerve to demand that the word "equitable" be removed from the law. The legislators laughed them out of the Capitol. For 50 years ballot measures were used in an attempt to steal the consumers' share on the CR, and for 50 years the people of OR and WA have said "no way" on every ballot measure. We have the greatest unemployment since the Great Depression and the highest food stamp enrollment in our history. Who in their right mind joyfully guts an industry which could be flourishing and feeding the hungry? She said we're here to please the Governor; and it's more important to take a tiny minority and give them a vast resource. The Governor's plan is totally based in imaginary funding. Another glitch in Jim Martin's plan is the Mitchell Act. When they slam the door for commercial harvest, they will also close the door for federal funding for the hatcheries. Does this sound very safe for salmon?</p>
<p>Ryan Rogers Eugene, OR</p>	<p>Ryan Rogers, owner of Fisherman's Market, said he was given permission to speak for other seafood retailers. Oregonians love salmon and we require a steady supply of salmon for our customers. This requires the continued commercial harvesting in the mainstem CR. Please consider that each of these salmon is enjoyed by a number of individuals. He wears a number of hats in this debate: fish buyer from local fisheries and Alaskan commercial fisherman. For gillnetters to try to seine would be a nightmare; the learning curve is very steep and the cost would be prohibitive. Sport fishermen can catch salmon nine months per year. He said this resource belongs to all Oregonians equally; without gillnet access to the mainstem of the CR our supply will be less dependable and harder to market. He said only a small percentage would be able to enjoy these special fish.</p>
<p>Otis Hunsinger Astoria, OR</p>	<p>Otis Hunsinger, fourth generation commercial fisherman, listened to many folks today who have never been on a gillnetter boat. He takes his kids fishing and has no problem catching salmon on a hook and line. He donates salmon to</p>

	<p>the high school for people who really need it. The Mitchell Act was for people who make a living on the river. He said 33% of the fish that sport fishermen catch in Buoy 10 are net pen raised fish and raised by the gillnetters. Predation is an issue that should be addressed, but the predation shouldn't be the sports fishermen preying on the gillnetters. When two-thirds of voters want us to stay on the river, it doesn't make sense. If you really want me off the river you should have voted to have me off the river. Only 6% of people catch the fish they eat; he represents the other 94%.</p>
<p>Bill Hunsinger Astoria, OR</p>	<p>Bill Hunsinger, Port of Astoria Commissioner, said he has gillnetted for 50 years on the CR; the largest king salmon run in the world. One man (Kitzhaber) wants to change the river and wants the Commission to be the deciders on how to do it. He said now you want to put us in the ditch and that's wrong. The Governor's plan doesn't work because Hobe is right about the money that will be taken away. We have to figure out a way to put that money there. The Governor says the fish are going to double and triple, so you would need twice the amount of money and it is not there. You are going to take away the living of the people of Clatsop County. We live in a fishing and wood products logging community. All the County and Port Commissioners are totally against this. The hatcheries have already had cutbacks, and even closed some hatcheries. 66% of the Oregonians voted and told you that gillnets were the way to harvest this fish. Seventy years ago an even bigger majority voted out the seines. You have a tough decision – I couldn't sit in your seat knowing that I have to take these kids' (his sons') living away. Taking away five jobs in Astoria is like taking away 500 jobs in Portland. This is the oldest industry in OR. Look at yourselves in the mirror and ask, "Can I really take these kids' jobs away from them?"</p>
<p>Dan Diggs Beaverton, OR</p>	<p>Dan Diggs, NSIA, is a native Oregonian and lifelong sports fisherman and hunter. He is a retired fisheries biologist who worked 35 years for USFWS Western Region. He spoke in support of the plan, a great opportunity to do something that is very good, and perhaps historic. He said as a Commission you have to look at all sides of the issue and make decisions that benefit the resource and greater public good. This plan and the significant changes it could make are not going to be easy. But it's doable and represents a pathway to minimize some of the difficulties, especially considering what the alternative is. There was a hard-fought legislative battle that could be resurrected in the future if there's not forward</p>

	<p>movement. The plan meets the strong conservation objectives that have been in place for a long time. The economics of this effort are undeniable; many speakers have talked about the economic benefits of sport fishing. With ODFW's and WDFW's efforts to look at alternative venues for commercial harvest, those harvest levels can be maintained. This looks like there will be more fish for everyone and a win-win for all.</p>
<p>Dave Schamp Cornelius, OR</p>	<p>Dave Schamp, Chairman of Board for CCA Oregon and a chief petitioner for BM 81, said CCA backed away from their support of BM 81 and chose to work collaboratively with all stakeholders and allow policy makers to do their jobs. They set aside personal feelings in a spirit of compromise for a better tomorrow. CCA polled on this topic four times and only 10% of Oregonians know what a gillnet is. So suggest that they are somehow condoning or approving of their use is inaccurate. When you educate people on what a gillnet is two out of three support eliminating their use in OR waters. The Governor's plan is a practical solution. It provides a viable option for the commercial fishery. He urged the Commission to approve the plan.</p>
<p>Peter Roscoe Astoria, OR</p>	<p>Peter Roscoe, board member of Oregon Restaurant & Lodging Association (ORLA) and Astoria City Commissioner, distributed a letter and said ORLA opposes the Governor's proposal to ban gillnetting from the mainstem CR. It flies in the face of decades of management and science which has aided in branding OR as a culinary region. He said we are now considered to be one of the leaders in the nation for our sustainability, creativity and local sourcing; CR salmon is the iconic fish. Proposals that would limit or curtail restaurants from any availability of this resource would have a serious, long-term corrosive effect on the restaurant community. The suggestion that the SA Fisheries expansion will make up for the loss is an empty promise that does not address the science of the program. He said this proposal does nothing to preserve salmon."</p>
<p>Trey Carskadon Tualatin, OR</p>	<p>Trey Carskadon, NSIA board member, past chair of State Marine Board, and partner in BDC Advertising that represents local sport fishing companies, said in every case, these companies and their hundreds of employees depend on CR salmon and steelhead seasons. Governor Kitzhaber got it right; status quo is unacceptable. His vision will breathe new life in Lower CR communities and industries around the region. We can expand these fisheries. He</p>

	encouraged the Commission to move this forward.
Greg Noffsinger Hillsboro, OR	Greg Noffsinger, a part-time fishing guide who would like to do it full time, said his plan would give him more opportunities. Oregon's fish markets are filled with farm fish and Alaska fish; commercially caught fish go to the East Coast. Shifting allocation may not save fish, but seine nets do save fish.
Liz Hamilton N/A	Liz Hamilton, NSIA, said she heard the Mayor of Warrenton talk about the potential job losses and the sport fishing community saying it is unfair that they are paying such a huge part of ODFW's budget. It strikes her that they are all saying the same thing that the status quo is not working and they are crying out for change. Half a million Oregonians don't trust us to get it right and voted for BM 81. We suspended the campaign in hopes that this is the right place to get the job done. When the gillnet fleet put the other gears out of business (with no compensation) we got some big advantages. But we have something in place now that's working really well. The triggers to this plan have been met; there currently are more fish harvested in the SAFE areas than in the entire mainstem; the number has doubled over seven years. She said when we talk about a compromise for Kitzhaber's plan that is what we mean. If we need to do more we are going to do more. We would like to work with the people in this room. We would love to have to have funding for our hatcheries secured through 2016, and will work to get funding stabilized for the SAFE areas.
Les Clark Chinook, WA	Legal Counsel Steve Sanders said Les Clark had to leave the meeting but left the following message. Mr. Clark has been a CR gillnetter for 70 years. He represents the Northwest Gillnetters Association and is a Port of Chinook commissioner. He recommends that the Kitzhaber plan be set aside.
Chris Vandenberg Skamokawa, WA	Chris Vandenberg, attorney, distributed written testimony that represented him. He lives in a small town that's dependent on commercial fisheries. He said there are many problems with the Governor's plan. He understands the politics but WA commercial fishers will be hurt disproportionately by this plan. Most of the SA fisheries are on the OR side, there's only one in WA. There are rumors that there will be more established in WA. He is concerned that sport fishing in WA will be affected. He is concerned that rivers will be closed, as occurred with the Youngs River, to

	<p>protect brood stock. Vandenberg said the seine fishery is time-consuming and expensive. It works in a fall fishery, but may not work in a spring fishery. The Governor's plan is that commercial fishery would remove salmon after allocations for sport fishing were given; that doesn't work. Fish mature at different rates throughout the season. He's concerned with societal costs to communities like his. Sport fishing jobs only last two and a half months; commercial fishing jobs last year-round. He said the program disproportionately affects WA commercial fishers.</p>
<p>Tim Heuker Warrendale, OR</p>	<p>Tim Heuker, commercial fisherman, fishes in Zone 5 that is in SA 5 that the Kitzhaber plan proposes. One gentleman spoke from OW about lost gillnets and dead birds around Beacon Rock. Heuker said he has lived at Beacon Rock his whole life. The ghost nets are not from nontribal fishing fleets, they come down the river from Tribal fisheries, etc. He's found numerous items, everything comes down the river; we pick it up and dispose of it. We are losing gillnets out there. He said sturgeon is a huge issue. To go to catch and release is not conservation at all. Fish are for food and they are a resource; they are not for fun. They have declined for the last 20 years since sports and guides have populated it. Where have they gone? The gillnets aren't taking them.</p>
<p>Tom Bonk Keizer, OR</p>	<p>Tom Bonk, of TCE Tours, has taken people fishing for 20 plus years. If people don't catch fish they don't come back and use the museums and other facilities. People will book around the gillnet fisheries. They spend money on food, fuel and entertainment. He said in a single day after the seine nets are put in you're going to lose \$185,000 of income per day. That's a lot of money for five days. Triple that figure by the people who aren't going to come back and bring their families. People want to come here, but if they don't catch fish, we'll get a bad reputation. We are in an economy where people are happy to have minimum wage jobs.</p>
<p>Jeremy Wright Portland OR</p>	<p>Jeremy Wright, spokesman and political advisor for Stop Gillnets Now Coalition, said this coalition placed BM 81 on the ballot. He said to call the November 6 election results a mandate is absurd. In July volunteers submitted 142,000 signatures. Then the Governor's proposal came and the August directive to the Commission to address the issue. He said in early September we announced our campaign to end BM 81, to stand down and support the compromise for one reason – it gets gillnets off the mainstem of the Lower CR. We kept our promise to stand down. The gillnet lobby spent</p>

	<p>\$900,000 to defeat the measure; nobody was surprised that it failed. The Oregonian didn't even list the results. Despite this half a million Oregonians still voted to get gillnets off the Lower CR. We are here because we believe in the Governor's compromise and in this Commission to enact that compromise.</p>
<p>Tom Dulcich Portland, OR</p>	<p>Tom Dulcich has attended Commission meetings since the 1970s. He submitted materials including a bar graph from the ODFW website and said it shows that over the past 30 years salmon runs in the CR are stable or increasing. He asked the Commission to consider what does this mean for the decisions before you? The genesis or basis for this proposal is that there's some conservation problem with the commercial (consumer) fleet, with their nets. Dulcich asked the Commission to consider, have you ever heard Director Elicker or any of his predecessors tell you these nets should be stopped because they're not safe? Did your partners in WA tell their commissions that these nets were not safe? No, they did not. What does that mean for the basis of your decision? It means this is not a biological decision or conservation decision, but a <i>political</i> decision. Who is the most important partner with this state? It's the Columbia River Treaty Tribes. Why? They have a treaty; they have an agreement <i>US vs. Oregon</i>. What do the Treaty Tribes say about this proposal? He cited Katherine Brigham's October 17 letter to the Governor. Would any of you think about making such a major change without consultation from your partners, the Tribes, or with Alaska or British Columbia?</p>

1
2 Commissioner Webber said he's hearing that this plan is an "either-or". We're either
3 going to do nothing and the gillnetters survive or we go to the plan and they're dead. In
4 listening to the presentation, his understanding is that the circumstances as staff has laid
5 them out is no net loss to the gillnetters, is that accurate?
6
7 Bowles said the concept of the initiative was yes, it was black-and-white relative to
8 gillnets. The plan we've been working on with the Work Group does not get commercial
9 fishing off the mainstem; it does not remove gillnets from the off-channel areas. So its
10 intent is to have very little economic loss during the transition period. And it proposes
11 ways to find economic increase long-term for both sport and commercial. Those are the
12 principles behind the direction that we've received, and it's integrated into the plan.
13 Bowles said there are numerous assumptions associated with that implementation. One
14 is being able to implement the investments in off-channel areas, fish as well as
15 infrastructure. Another is regarding the ability of alternative gear to be developed and
16 implemented and the reason we have a transition period. The allocation shifts are much

1 more modest during that transition period in order to minimize economic harm, and
2 gillnets are allowed during this period while alternative gear is being developed.

3
4 Commissioner Webber said if we put this plan into rule in December, there would be no
5 changes for the commercial gillnet fishery between 2012 and 2013? Bowles said those
6 proposed changes would be allocation shifts identified in the draft Work Group plan. For
7 example, spring Chinook would change from a 60:40 split to a 70:30 and allow mainstem
8 gillnets to remain in the river. As a partial offset, spring Chinook would be coming from
9 the 2010 releases as a result of the 2008 Commission decision. Those fish would
10 partially offset that allocation shift. During the transition period, there would be a 5-to-
11 10% economic hit on the commercial fleet. We are working to get that down to zero-to-
12 5%.

13
14 Chair Levy said Robert Sudar talked with the WA Commission about shifting Coho from
15 4 million to 1.9 million. Bowles said the Work Group contemplated an overall doubling of
16 the coho released in the off-channel areas long-term. As a result of that meeting and
17 discussion with Hatchery Science Review Group (HSRG), WA has asked to review some
18 of these relative to the Lower River recovery plans. HSRG opposes this. We have
19 modified that, so the long-term would be 1.92 million rather than four million increase.
20 The transition is still the same; it's the long-term that shifted from three million to one
21 million, plus the interim. That represents a dramatic reduction of the Coho in the off-
22 channel areas. That has been incorporated into our economic analysis.

23
24 Commissioner Akenson asked staff to talk about the role of the Commercial Advisory
25 Committee to the Work Group. Bowles said the Work Group process has three
26 commissioners from each state and seven advisors to those subgroup commissioners:
27 three commercial and three recreational advisors, and Peter Huhtala is the advisor for
28 Clatsop County. Their role is to represent the interests of the Lower River counties. The
29 Work Group asked the commercial advisors what they'd be willing to do. They sent out a
30 document in October with a list of things they'd like to see incorporated into the plan, or
31 to replace this plan with another one. At the last Work Group meeting, Commissioner
32 Finley and the Work Group decided to have staff look through that list and select those
33 ideas that had good merit for implementation and incorporate those in to the final
34 document for the next Work Group meeting, which has been done.

35
36 Commissioner Akenson asked if there are opportunities for commercial fishermen to
37 provide information or knowledge from their perspectives as to how to make this whole
38 thing work. Bowles said yes, that is all integrated in there now. It is also something we'd
39 absolutely do during the implementation phase, should this be adopted.

40
41 Commissioner Akenson said what kind of communications have you had with the
42 Tribes? Bowles responded the CRITFC and the Northwest Indian Fisheries Commission
43 attended the first Work Group meeting. Steve Williams updated the *US v Oregon* policy
44 committee and invited them to another Work Group meeting to be held in Seaside. He
45 has not heard back from them yet. They are on the list to receive all materials to them.

46

1 Commissioner Wolley asked staff to address the ability of the SAs to accommodate the
2 commercial fleets. Do you anticipate needing to add to SAs in the future? Bowles said
3 that is one of the assumptions we have in the Adaptive Management. It will require
4 innovation with the fleet and a willingness to work together. We have built into the plan
5 looking at both time and area expansions of existing off-channel areas and a doubling of
6 the impacts provided to the off-channel areas to accommodate not only additional fish
7 but potentially getting into either time or places that may have upriver impacts associated
8 with them. We built into the report looking at additional sites with emphasis on the north
9 side of the river, given that Deep River is the only current one, to explore any options for
10 additional sites and that would take place throughout the transition period.

11
12 **ADJOURN**

13 Chair Levy adjourned the meeting at 4:03 p.m.

Approved