

OREGON AND WASHINGTON DEPARTMENTS OF FISH AND WILDLIFE
JOINT STAFF REPORT - WINTER FACT SHEET NO. 3
Columbia River Compact/Joint State Hearing
February 18, 2010

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| <i>Fisheries under consideration:</i> |
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| <ul style="list-style-type: none">-Non-treaty commercial salmon fishing plans and regulations-Select Area commercial fisheries-Non-treaty recreational salmon and sturgeon fisheries |
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STOCK STATUS

Upriver Spring Chinook

The upriver spring Chinook run is defined as all spring Chinook destined for areas above Bonneville Dam and Snake River summer Chinook. Chinook passing Bonneville Dam between January 1 and June 15 are considered upriver spring Chinook. Snake River wild spring/summer Chinook and upper Columbia wild spring Chinook are components of this run and are federally listed under the Endangered Species Act (ESA). Spring Chinook returning to several other tributaries above Bonneville Dam are also components of this run and are not ESA-listed. Based on the recent 5-year average, Bonneville Dam passage is usually 50% complete by May 10. Over the past ten years, runs have averaged around 210,000 adult fish.

Willamette Spring Chinook

Willamette River spring Chinook tend to return earlier and exhibit a broader migration timing compared to upriver spring Chinook. Wild spring Chinook destined for portions of the Willamette River and its tributaries are ESA-listed. Over the past ten years, runs have averaged around 75,000 fish.

Lower Columbia Spring Chinook

Spring Chinook returning to the tributaries of the lower Columbia River are destined for the Cowlitz, Kalama, Lewis, and Sandy rivers and Select Areas. Wild components of this stock are ESA-listed. Over the past ten years, the combined return has averaged around 20,500 fish in the tributaries and 7,500 in Select Areas.

Winter Steelhead

The geographic range of winter steelhead includes all tributaries of the Columbia River upstream to Fifteen Mile Creek on the Oregon shore and the Klickitat River on the Washington shore. ESA-listed wild winter steelhead include populations from the Cowlitz River upstream to the uppermost range, and specific areas above Willamette Falls. All steelhead handled downstream of Bonneville Dam during November through April are considered winter steelhead. Over the past nine years, wild winter steelhead returns have averaged around 20,000 fish.

White Sturgeon

Abundance estimates for white sturgeon inhabiting the lower Columbia River are derived mainly from annual mark/recapture studies. In addition, angler success (CPUE) is used to measure the strength of population. An increasing threat to the overall population stability is continued losses due to sea lion predation. Of particular concern is the loss of broodstock size (oversize) white

sturgeon to sea lion predation. Downward trends (or instability) in sub-legal and legal size fish, lower angler success, and sea lion predation are major factors impacting current population estimates. The harvestable number of white sturgeon allowed annually was 40,000 fish during 2003-2009.

| <i>Columbia River Mouth Fish Returns Actual and Forecasts**</i> | | | | | |
|---|--------------------------|----------------|----------------------|--------------------|----------------------|
| | | | 2009 Forecast | 2009 Return | 2010 Forecast |
| Spring Chinook | Willamette | | 37,600 | 39,400 | 62,700 |
| | Sandy | | 5,200 | 2,700 | 3,700 |
| | Cowlitz* | | 4,100 | 4,900 | 12,500 |
| | Kalama* | | 900 | 350 | 900 |
| | Lewis* | | 2,200 | 1,900 | 6,000 |
| | Select Areas* | | 4,800 | 3,400 | 4,100 |
| | Lower River total | | 54,800 | 52,650 | 89,900 |
| | Upper Columbia | Total | 23,100 | 17,400 | 57,300 |
| | <i>Upper Columbia</i> | <i>Wild</i> | <i>2,700</i> | <i>1,800</i> | <i>5,700</i> |
| | Snake River | | | | |
| | Spring/Summer | Total | 179,200 | 92,000 | 272,000 |
| | <i>Snake River</i> | <i>Wild</i> | <i>29,700</i> | <i>20,900</i> | <i>73,400</i> |
| Upriver Total | | 298,900 | 169,300 | 470,000 | |
| Total Spring Chinook | | 353,700 | 221,950 | 559,900 | |
| Summer Chinook | Upper Columbia | Total | 70,700 | 53,900 | 88,800 |
| Sockeye | Wenatchee | | 18,300 | 32,100 | 14,300 |
| | Okanogan | | 164,900 | 145,400 | 110,300 |
| | Snake River | <i>Wild</i> | <i>600</i> | <i>1,400</i> | <i>600</i> |
| | Total Sockeye | | 183,800 | 179,000 | 125,200 |
| Steelhead Winter | Wild winter steelhead | Wild | 15,200 | 11,400 | 20,100 |

*Return to tributary mouth

**Totals may not sum due to rounding

MANAGEMENT GUIDELINES

Salmon and steelhead

2008-2017 US v Oregon Management Agreement

- The *2008-2017 US v Oregon Management Agreement* (MA) provides species-specific harvest frameworks and harvest rates for non-treaty and treaty Indian fisheries management of fish stocks destined for areas upstream of Bonneville Dam.
- The MA includes an abundance-based sliding scale harvest matrix for upriver spring Chinook. Based on this matrix and the pre-season forecast, impacts during 2010 are limited to 16% for all fisheries, with 2.6% for non-treaty fisheries and 13.4% for treaty Indian fisheries.
- Through implementation of the harvest matrix, the parties to *U.S. v Oregon* expect to achieve catch balancing, where the catch of upriver spring Chinook from treaty Indian fisheries

roughly matches the catch of upriver spring Chinook in non-treaty fisheries. Upon review of the 2008 and 2009 spring Chinook harvest, it was agreed that catch balancing was not achieved in either year. As a result, a revised harvest matrix and additional provisions were included in the MA effective in 2010.

- Non-treaty fisheries will be managed to meet the catch balance provisions in the MA for upriver spring Chinook. Under these provisions, non-treaty fisheries will be managed to remain within the ESA allowed impacts, *and* be managed not to exceed the total allowable catch available for treaty fisheries. The following table reflects the new catch balancing provisions within the harvest matrix.

| Spring Management Period Harvest Rate Schedule | | | | | | |
|---|------------------------------|---------------------|------------------------|-------------------------|--------------------------------|--------------------|
| Total Upriver Run Size | SNAKE RIVER NATURAL Run Size | Treaty Harvest Rate | Treaty Catch Guideline | Non-Treaty Harvest Rate | Non-Treaty Mortality Guideline | Total Harvest Rate |
| <27,000 | <2,700 | 5.0% | | <0.5% | | <5.5% |
| 27,000 | 2,700 | 5.0% | 1,350 | 0.5% | 1,350 | 5.5% |
| 33,000 | 3,300 | 5.0% | 1,650 | 1.0% | 1,650 | 6.0% |
| 44,000 | 4,400 | 6.0% | 2,640 | 1.0% | 2,640 | 7.0% |
| 55,000 | 5,500 | 7.0% | 3,850 | 1.5% | 3,850 | 8.5% |
| 82,000 | 8,200 | 7.4% | 6,068 | 1.6% | 6,068 | 9.0% |
| 109,000 | 10,900 | 8.3% | 9,047 | 1.7% | 9,047 | 10.0% |
| 141,000 | 14,100 | 9.1% | 12,831 | 1.9% | 12,831 | 11.0% |
| 217,000 | 21,700 | 10.0% | 21,700 | 2.0% | 21,700 | 12.0% |
| 271,000 | 27,100 | 10.8% | 29,268 | 2.2% | 29,268 | 13.0% |
| 326,000 | 32,600 | 11.7% | 38,142 | 2.3% | 38,142 | 14.0% |
| 380,000 | 38,000 | 12.5% | 47,500 | 2.5% | 47,500 | 15.0% |
| 434,000 | 43,400 | 13.4% | 58,156 | 2.6% | 58,156 | 16.0% |
| 488,000 | 48,800 | 14.3% | 69,784 | 2.7% | 69,784 | 17.0% |

- In addition, the MA specifies that non-treaty fisheries occurring prior to a run size update for 2010 will be managed for a run size that is at least 30% less than the forecasted run size.

Endangered Species Act

- A Biological Opinion for fish stocks listed under the ESA based upon the management actions outlined in the 2008-2017 MA was approved by NMFS in 2008.
- Impacts to wild winter steelhead are limited to 2% for non-treaty fisheries.

Willamette Spring Chinook Management

- The Willamette River Fisheries Management Evaluation Plan (FMEP) limits freshwater fishery impacts on wild Willamette River spring Chinook to <15%.
- The Willamette River FMEP includes a sliding scale for escapement goals based on abundance of hatchery fish and determines allocation of surplus hatchery spring Chinook to recreational and commercial fisheries downstream of Willamette Falls. The escapement goals are also intended to allow for full recreational fisheries in the upper Willamette River.

- Based on the FMEP and an expected return of 47,000 adult hatchery Willamette River spring Chinook (21,700 fish surplus above the FMEP escapement goal of 25,300 hatchery fish) the harvestable surplus is allocated 80% for recreational fisheries downstream of Willamette Falls (including the mainstem Columbia River) and 20% to commercial fisheries (including Select Areas).

2010 Spring Chinook Management

- The Washington and Oregon Fish and Wildlife commissions provided guidance to the two directors for spring Chinook management in 2010.
- The directors met and agreed to the following management options:
 - Manage non-treaty fisheries for a 40% run size buffer prior to the run update
 - Prior to the run update the allocation of upriver fish including release mortalities would be:
 - 17,200 fish for the sport fishery below Bonneville Dam
 - 4,500 fish to be used as follows (based on in-season assessment):
 - To provide a higher degree of certainty of meeting the sport season objectives above Bonneville Dam
 - To provide flexibility to meet pre-update sport season objectives below Bonneville Dam
 - 8,300 fish for the mainstem commercial fishery
 - 400 for the SAFE commercial season
 - At the forecasted run size, it is expected that no more than one half of the non-treaty harvest would occur prior to the run size update.

Sturgeon

- The WFWC, OFWC, and the two state directors have provided management guidelines for 2010 white sturgeon fisheries. The total white sturgeon harvest guideline will be reduced by 40% from the 2009 guideline.
- The fishery-specific allocations and size limits remain unchanged for sport and commercial fisheries. Harvestable sturgeon are shared 80%/20% between sport and commercial fisheries.
- A 40% reduction and an 80/20 share plan results in 19,200 fish (38-54 inch fork length (FL)) for 2010 sport fisheries and 4,800 fish for 2010 commercial fisheries.
- The states intend to expand the sanctuary area downstream of Bonneville Dam in both time and area. Under the expanded sanctuary, sturgeon angling would be prohibited from Bonneville Dam downstream to the upstream end of Skamania Island from May 1 through August 31.
- In addition, a separate catch guideline has been established for the Willamette River beginning in 2010. A total of 3,600 white sturgeon will be allowed for harvest in the Willamette River, including 2,865 fish that will be counted as part of the above Wauna

Columbia River recreational guideline. A baseline harvest of 735 fish will not be counted toward the above Wauna guideline.

- Oregon also intends to create a spawning sanctuary from Willamette Falls downstream to the I-205 Bridge that will match the Columbia River spawning sanctuary in timeframe, and will close the area known as the Oregon City Wall to angling.

| Major Tenets of 2010 Sturgeon Fishery Management | |
|---|--|
| ✓ | Sturgeon fisheries will be managed for an annual harvestable number of 24,000 white sturgeon |
| ✓ | The harvestable number is to be allocated 80% (19,200 fish) recreational and 20% (4,800 fish) commercial. |
| ✓ | Allocate 60% of the recreational harvest (11,500 at 38-54 inch FL or 9,600 at 41-54 inch FL) to the area downstream of the Wauna powerlines and 40% (7,700 fish) to the area upstream. The Willamette fishery will be managed for a specific guideline of 3,600 fish, with 2,865 fish counting towards the above Wauna guideline. |
| ✓ | The spawning sanctuary will be closed for all sturgeon angling from May 1 through August 31 from Bonneville Dam downstream to the upstream end of Skamania Island. |

- 2010 protocol for white sturgeon harvest in commercial fisheries was developed with input from the Columbia River Commercial Advisory Group (CRCAG). The protocol includes sub-allocation of harvest by fishery.

| 2010 Protocol For Management of White Sturgeon Retention in Commercial Fisheries | | |
|---|--|-------------|
| ✓ | Manage for a commercial harvest of 4,800 white sturgeon | |
| | Fishery/Season | # Allocated |
| | Winter Sturgeon | 600 |
| | Winter/Spring Salmon | 200 |
| | Summer | 300 |
| | Early Fall (August) | 1,700 |
| | Late Fall (Sep-Oct) | 1,700 |
| | Select Areas | 300 |
| | | 4,800 |
| ✓ | Allow some level of incidental white sturgeon harvest to occur during all target salmon seasons. | |
| ✓ | Conduct limited target white sturgeon fisheries during the winter timeframe if feasible. | |
| ✓ | Conduct target white sturgeon fisheries during October if necessary to access the remaining commercial allocation. | |
| ✓ | Adopt white sturgeon possession and landing limits as necessary to remain within season-specific catch expectations. | |

NON-TREATY FISHERIES

Smelt Fishery Update

- The 2010 return was projected to be a weak run, similar to the past few years. Preseason run size indicators for the 2010 smelt return suggested a slight improvement compared to 2009.
- Commercial and recreational smelt fisheries are currently in place, and scheduled to continue through March 31 in the mainstem and through February in the Cowlitz River. All seasons are operating under reduced “Level One” fisheries, which is a very conservative level, allowing for minimal fishing to maintain collection of data on run size.
- The Columbia River commercial fishery is open for two 7-hour periods per week. Catch through February 11 is estimated at 3,400 pounds with peak landings occurring on January 21. The Cowlitz River commercial fishery is open for two 3-hour periods per week. No catch has been reported in this area.
- Recreational fisheries are open in the Columbia River 24-hours per day seven days per week. As typical for the mainstem recreational fishery, no catch or effort has been observed or reported. The Cowlitz River is also open for recreational smelt dipping on Saturdays (7 AM-3 PM) during February. Effort has been light and only minimal catch has been reported.
- At the midpoint of the season, catch and abundance appear to be slightly less than expected. Cumulative mainstem landings and commercial CPUE indicate that the 2010 run is similar in magnitude to the 2009 run size.
- Staff will continue to closely monitor the ongoing fisheries and the smelt run status. Modifications to the fishery may be necessary if improvement in smelt abundance is not observed by late February.

2010 Commercial Winter Sturgeon fishery

- A total of five 24-hr commercial fishing periods were conducted between January 19 and February 17. White sturgeon landing limits were set at 15 fish per week. Fisheries were managed to remain within a harvest guideline of 600 white sturgeon. Landings through February 10 total 481 white sturgeon and 10 hatchery Chinook.

2010 Winter/Spring Salmon Commercial Fishery

- Since 2004, a commercial fishing plan has been developed in cooperation with the CRCAG to maximize the catch of hatchery spring Chinook and minimize handle of ESA-listed upriver spring/summer Chinook and wild winter steelhead.
- The structure of the 2010 fishing plan is similar to past years, and the Joint Staff will use it as a guideline for managing the upcoming winter/spring season.

2010 Winter/Spring Pre-Season Commercial Fishing Plan

- ✓ Manage mainstem commercial fisheries to remain within commission allocation guidelines.
- ✓ Test fishing will likely occur on Sundays beginning as early as February 28.
- ✓ Compacts to occur on Mondays, if test fishing results are positive.
- ✓ Full fleet fisheries will likely occur on Tuesdays (could occur anytime between Monday night and Wednesday morning but will focus on Tuesday) each week, but may be scheduled on other days in order to maintain flexibility in developing fishing seasons.
- ✓ Potential preseason fishing dates are March 9, 16, 23, and 30.
- ✓ Fisheries may be conducted during daylight and nighttime hours.
- ✓ Fisheries may occur in Zones 1-5.
- ✓ Focus on using tangle net gear as much as possible.
- ✓ Additional fishing periods are expected after run size updates are available.
- ✓ Test fishing may continue throughout the winter/spring season to collect biological data and maintain historic test fishing databases.

- The fishing plan allows for test fishing prior to each potential fishery opener, which provides in-season data necessary for making fishery management decisions. The plan also allows for timely adoption of fishing seasons following positive test fishing results.
- In addition to the fishing plan, a set of general regulations are announced prior to the onset of the spring season. The regulations reflect management intent and allow commercial fishers to prepare for the upcoming season. These regulations are identical to those used in recent years and will be in place for the 2010 winter/spring season.

2010 Commercial Spring Chinook Regulations

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|-------------------------|---|
| Season: | Individual fishing periods will not exceed 24 hours in length. |
| Area: | Zones 1-5. Upper boundary to be determined |
| Sanctuaries: | As applicable. Grays River, Elochoman-B, Abernathy Creek, Cowlitz River, Kalama-B, and Lewis-B, Sandy and Washougal sanctuaries. |
| Allowable Sales: | Adipose fin-clipped Chinook salmon, white sturgeon, and shad. |
| Participants: | Licensed Columbia River commercial fishers that have completed the required state-sponsored workshop concerning live capture commercial fishing techniques. At least one fisher on each boat must have live capture certification. |
| Gear: | 4¼” maximum mesh size during tangle net fishery or 8” minimum mesh size during large mesh fishery. Monofilament gill nets are not allowed for the 4¼” mesh. Gill nets that are fished at any time between official sunset and official sunrise must have lighted buoys on both ends of the net unless the net is attached to the boat. If the net is attached to the boat, then one lighted buoy on the opposite end of the net from the boat is required. |

There are no restrictions on the use of slackers or stringers to slacken the net vertically. There are no restrictions on the hang ratio. The hang ratio is used to horizontally add slack to the net. The hang ratio is determined by the length of the web per length of the corkline.

Net length not to exceed 150 fathoms, except under the following conditions: An optional use of a steelhead excluder panel of mesh may be hung between the corkline and the 4¼” maximum mesh size tangle net. The excluder panel web must be a minimum mesh size of 12 inches when stretched taut under hand tension. Monofilament mesh is allowed for the excluder panel. The excluder panel must be a minimum of five feet in depth and must not exceed ten feet in depth as measured from the corkline to the upper margin of the tangle net mesh as the net hangs naturally from a taut corkline. Weedlines or droppers (bobber type) may be used in place of the steelhead excluder panel. A weedline-type excluder means the net is suspended below the corkline by lines of no less than five feet in length between the corkline and the upper margin of the tangle net. A dropper-type excluder means the entire net is suspended below the surface of the water by lines of no less than five feet in length extending from individual surface floats to a submersed corkline. The corkline cannot be capable of floating the net in its entirety (including the leadline) independent of the attached floats. Weedlines or droppers, must extend a minimum of five feet above the 4¼” maximum mesh size tangle net. Tangle nets constructed with a steelhead excluder panel, weedlines, or droppers, may extend to a maximum length of 175 fathoms. Tangle nets constructed with a steelhead excluder panel, weedlines, or droppers must have two red corks at each end of the net, as well as the red corks under miscellaneous regulations.

Miscellaneous Regulations:

Soak times, defined as the time elapsed from when the first of the gill net web is deployed into the water until the gill net web is fully retrieved from the water, must not exceed 45 minutes.

Red corks are required at 25 fathom intervals, and red corks must be in contrast to the corks used in the remainder of the net.

Recovery Box: Each boat will be required to have two operable recovery boxes or one box with two chambers, on board. Each chamber of the recovery box (es) must include an operating water pumping system capable of delivering a minimum flow of 16 gallons per minute, not to exceed 20 gallons per minute of freshwater per chamber. Each box and chamber and associated pump shall be operating during any time that the net is being retrieved or picked. Each chamber of the recovery box must meet the following dimensions as measured from within the box; the inside length measurement must be at or within 39 ½ inches to 48 inches, the inside width measurements must be at or within 8 to 10 inches, and the inside height measurement must be at or within 14 to 16 inches.

Each chamber of the recovery box must include a water inlet hole between ¾ inch and 1 inch in diameter, centered horizontally across the door or end wall of the chamber and 1¾ inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole that is a least 1½ inches in diameter located on either the same or opposite end as the inlet. The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to WDFW and ODFW employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering

the proper volume of fresh river water into each chamber.

All non-legal sturgeon, non-adipose fin-clipped salmon, and steelhead must be released immediately to the river with care and with the least possible injury to the fish, or placed into an operating recovery box.

Any fish that is bleeding or lethargic must be placed in the recovery box prior to being released. All fish placed in recovery boxes must be released to the river prior to landing or docking.

At least 24-hour **quick reporting** will be required for Washington wholesale dealers, per WAC 220-69-240.

Observer program: As a condition of fishing, owners or operators of commercial fishing vessels must cooperate with department observers or observers collecting data for the department, when notified by the observer of his or her intent to board the commercial vessel for observation and sampling during an open fishery.

2010 Tributary Spring Chinook Fisheries

- No changes to permanent regulations are being recommended for spring Chinook recreational fisheries in the Sandy, Clackamas, and Willamette rivers.
- Washington tributary fisheries will be announced at a later date.

2010 Mainstem Spring Chinook Recreational Fishery

- Staff has presented three options for the recreational fishery downstream of Bonneville Dam based on the management objectives adopted by the commissions, discussions between the agency directors, input from the Columbia River Recreational Advisor Group (CRRAG), and public comments.
- Although staff attempted to minimize the need of emergency action in developing these options, due to the dynamic nature of fisheries and fish runs, none of the options presented *guarantee* that in-season action will not be necessary.

2010 Mainstem Columbia River Spring Chinook Recreational Fishery - Options

Downstream of Bonneville Dam

Option 1:

Below I-5 Bridge March 1 – April 24, 2010

(7 d per week except closed to salmon & steelhead angling on Tuesdays, March 9, 16, 23, and 30)

and

Bank angling only from Rooster Rock upstream to Bonneville Dam, March 1 – March 14 (7 d per week)

and March 18 - April 2 (3 d per week, Thursday – Saturday)

Total angler trips = 143,400 (51 retention days)

Option 2:

Below I-5 Bridge, March 1 – April 20, 2010

(7 d per week except closed to salmon & steelhead angling on Tuesdays, March 9, 16, 23, and 30)

and

I-5 Bridge to I-205 Bridge, plus bank angling only from I-205 upstream to Bonneville Dam, March 18 –

April 3 (3 d per week, Thursday – Saturday)

Total angler trips = 139,600 (47 retention days)

Option 3:

Below I-5 Bridge, March 1 – April 16, 2010

(7 d per week except closed to salmon & steelhead angling on Tuesdays, March 9, 16, 23, and 30)

and

I-5 Bridge to Rooster Rock, plus bank angling only from Rooster Rock upstream to Bonneville Dam, March 1 – March 14 (7 d per week) and March 18 – April 2 (3 d per week, Thursday – Saturday)

Total angler trips = 134,600 (43 retention days)

Catch limit: Two adult salmonids per day only **one** of which may be a Chinook.
Only adipose fin-clipped fish may be kept. All other permanent regulations apply.

Bonneville Dam to McNary Dam

Area and Date Tower Island power lines (approximately 6 miles below The Dalles Dam) upstream to McNary Dam plus the Oregon **and** Washington banks between Bonneville Dam and the Tower Island power lines.

March 16 – May 31, 2010

Catch limit: Two adult salmon or steelhead per day or one of each.
Only adipose fin-clipped fish may be kept. All other permanent regulations apply.

Additional Regulations: For the mainstem Columbia River salmon and steelhead fishery from the Rocky Point/Tongue Point line upstream to McNary Dam, effective February 15 through June 15, it is unlawful when fishing from vessels which are less than 30 feet in length, substantiated by Coast Guard documentation or Marine Board registration, to totally remove from the water any salmon or steelhead required to be released.

- ✓ The fishery options are consistent with policy guidance provided by the Oregon and Washington Fish and Wildlife commissions and directors.
- ✓ Option 1 provides for the longest season and highest number of angler trips. Options 2 and 3 provide for opportunity spread throughout a larger geographic area but result in fewer angler trips compared to Option 1.
- ✓ All three options have a total estimated handle of about 24,000 fish and are within the 17,200 upriver fish (kept plus release mortalities) available for recreational fisheries downstream of Bonneville Dam prior to a run update.
- ✓ All three options provide for some bank angling opportunities upstream of the I-5 Bridge.
- ✓ The fishery options were developed with input from the CRRAG.
- ✓ Staff will provide fishery updates beginning in early April.

2010 Mainstem Steelhead and Shad Recreational Fishery

- Under permanent regulations, the mainstem Columbia River is currently open for steelhead angling from Buoy 10 to McNary Dam through March 31. Beginning April 1 steelhead angling is prohibited downstream of the I-5 Bridge through May 15, and upstream of the I-5 Bridge (to McNary Dam) through June 15.

- Under permanent regulations, the mainstem Columbia River is currently open for shad angling through March 31. The mainstem Columbia River upstream to Bonneville Dam is closed to shad angling during April 1-May 15 under permanent regulations.

| <i>Recommendation: Retention of Hatchery Steelhead and Shad During Open Spring Chinook Seasons (Through May 15)</i> | |
|--|--|
| Effective March 1-May 15, 2010, the mainstem Columbia River will be open for retention of adipose fin-clipped steelhead and shad ONLY during days and seasons open for retention of adipose fin-clipped spring Chinook. | |

- Beginning May 16, hatchery steelhead retention is allowed downstream of the I-5 Bridge and shad retention is allowed from Buoy 10 upstream to McNary Dam.

2010 Below Bonneville Recreational Sturgeon Seasons

| <i>2010 Sturgeon Recreational Fishery for Above Wauna - Options</i> | |
|--|--|
| Area: | Mainstem Columbia River from the Wauna powerlines upstream to Bonneville Dam, and all adjacent Washington tributaries, EXCLUDING the lower Willamette River upstream to Willamette Falls, including Multnomah Channel |
| Retention Seasons: | Option 1: January 1 – July 31 and October 1 – December 31, 2010 Retention allowed Thursdays, Fridays, and Saturdays only Option 2: March 1 – July 31 and October 1-December 31, 2010 Retention allowed on odd-numbered calendar days only |
| Other restrictions: | Catch-and-release fishing is allowed on non-retention days. Retention of green sturgeon prohibited as per permanent regulations 38-inch minimum fork length and 54-inch maximum fork length Closed to angling for sturgeon from May 1 to August 31 from Bonneville Dam downstream to a line crossing the Columbia River from Navigation Marker 82 on the Oregon shore through the upstream exposed end of Skamania Island, continuing in a straight line to the Washington shore. |
| Expected catch: | Option 1: 4,600 kept in the Columbia (106 retention days Mar 1-Dec 31) Option 2: 4,800 kept in the Columbia (125 retention days Mar 1-Dec 31) (Available guideline is 4,800) |

- These proposals are consistent with 2010 white sturgeon management protocols and are similar to those presented to the CRRAG.
- Option 1 is the same season structure in place during 2005, 2006, and 2009.
- Option 2 provides for 19 additional retention days distributed over varying rather than fixed retention days but carries a greater risk that the fall component of the fishery may need to be modified. Given the length of the season, opportunity exists to modify the fall fishery based on the performance of the spring/summer fishery.

2010 Sturgeon Recreational Fishery for Below Wauna - Options

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|----------------------------|--|
| Area: | Mainstem Columbia River from the Wauna powerlines downstream to the mouth at Buoy 10, including Youngs Bay, and all adjacent Washington tributaries |
| Retention Seasons: | <p>Option 1: January 1 – April 30 and May 22 – June 26 Retention allowed 7 days per week</p> <p>Option 2: January 1 – April 30 Retention allowed 7 days per week May 14 – July 11 Retention allowed Fridays, Saturdays and Sundays only</p> <p>Option 3: January 1 – April 30 Retention allowed 7 days per week May 15 – June 13 Retention allowed 7 days per week June 18 – July 4 Retention allowed Fridays, Saturdays and Sundays only</p> <p>Catch-and-release fishing is allowed on non-retention days.</p> |
| Other restrictions: | <p>38-inch minimum fork length during January 1 through April 30</p> <p>41-inch minimum fork length during May through remainder of season</p> <p>54-inch maximum fork length in effect throughout season</p> <p>Retention of green sturgeon prohibited as per permanent regulations</p> |
| Expected catch: | <p>Option 1: 9,600 kept (36 retention days from May onward)</p> <p>Option 2: 9,570 kept (27 retention days from May onward)</p> <p>Option 3: 9,160 kept (39 retention days from May onward)</p> <p>(Available guideline is 9,600)</p> |

- These proposals are consistent with 2010 white sturgeon management protocols and are similar to those presented to the CRRAG.
- Option 1 is similar to the 7-day/week fisheries that have been in place during May-June in recent years.
- Option 2 provides the least number of retention days but extends the fishery the farthest into the summer.
- Option 3 provides the most retention days and results in expected catch below the guideline.
- Staff will monitor white sturgeon harvest in the below Wauna fishery as the season progresses with a fishery checkpoint scheduled for early June. Staff will recommend any in-season fishery modifications if necessary at that time.

Oregon Action for Willamette River Recreational White Sturgeon Fishery

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| Area: | Lower Willamette River upstream to Willamette Falls, including Multnomah Channel |
| Retention Seasons: | January 1 – March 31 and November 1 – December 31, 2010 Retention allowed Thursdays, Fridays, and Saturdays only 38-inch minimum fork length and 54-inch maximum fork length Catch-and-release fishing is allowed on non-retention days |
| Other restrictions: | Retention of green sturgeon prohibited as per permanent regulations Closed to all sturgeon angling (including catch-and-release) seven days per week from May 1 through August 31 from Willamette Falls downstream to the I-205 Bridge |
| Expected catch: | 3,600 white sturgeon. |

- The white sturgeon fishery in the Willamette River downstream of Willamette Falls (including Multnomah Channel) will be managed for a guideline of 3,600 white sturgeon for 2010. The 3,600 guideline includes 735 baseline fish and 2,865 fish from the above Wauna guideline.

Zone 6 Recreational Sturgeon Fishery Update

- Effective February 21, the Bonneville Pool will close for retention of sturgeon because catch estimates project that the guideline of 1,400 fish will likely be met by that date.
- The guideline for The Dalles Pool is 300 fish. The fishery in The Dalles Pool has at times experienced higher than normal effort and catch rates during 2010 and the guideline may be met sometime in March.
- The guideline in John Day Pool is 165 fish. In recent weeks the fishery has experienced high effort and catch rates and it is likely that the guideline will be met by late February/early March if the high catch rates continue.
- Staff will update the catch projection for the John Day and The Dalles pool fisheries prior to the Compact/JS Hearing and will provide a fishery recommendation if needed.

SELECT AREA FISHERIES

- Select Area commercial fisheries targeting spring Chinook have occurred in Youngs Bay since 1992, in Blind Slough since 1998, and in Deep River since 2003. In 2008 and 2009, pre-season test fishing and subsequent full-fleet commercial test fisheries occurred in Tongue Point; these have been the only spring season commercial fishing opportunities in Tongue Point since 2003.
- Select Area fisheries target spring Chinook during the winter and spring seasons (mid-February through mid-June) and both spring Chinook and Select Area Bright (SAB) fall Chinook during the summer season (mid-June through July).
- Harvest of Chinook in 2009 winter, spring, and summer Select Area fisheries totaled 4,175 fish (3,427 spring Chinook), which is much lower than the recent 10-year average of 6,900. The summer season catch of 983 Chinook (primarily SAB fall Chinook) was second only to the 2008 harvest and nearly three times the recent average.
- Based on visual stock identification (VSI) and coded-wire-tag (CWT) recoveries, catch in winter, spring, and summer Select Area commercial fisheries has been comprised of 90.9% SAFE-produced Chinook, 6.4% lower river spring Chinook, 2.2% upriver spring Chinook, and 0.4% upper Columbia summer Chinook stocks during 2005-2009.
- Since 2002, ESA-impacts to upriver spring Chinook have ranged between 0.012% and 0.210% and have averaged 0.109% in Select Area commercial fisheries; however, fishing opportunity was constrained in some years due to in-season management action taken to ensure non-treaty fishery impacts to upriver stocks were not exceeded. The 2009 impact rate to upriver spring Chinook was 0.087% (58% of the 0.150% allocation for SAFE fisheries).
- Recreational harvest of spring Chinook in Select Areas has ranged between 25 and 1,100 fish per year since 1999. Estimates of recreational catch were not made for 2009 spring Chinook fisheries due to limited resources. Based on anecdotal information it is believed that the recreational harvest was less than 100 spring Chinook.
- Options for 2010 winter, spring, and summer Select Area fisheries were developed based on input received during a public meeting held February 4, 2010 in Astoria.
- Guidance from the Oregon and Washington Fish and Wildlife commissions is to manage Select Area commercial fisheries at an upriver spring Chinook impact guideline of 0.15%. Select Area catch of upriver stocks is included in the total catch for catch balancing under the modified *US v Oregon MA*.

Blind Slough/Knappa Slough Commercial Fishery

- Concurrent jurisdiction waters extend downstream from the Railroad Bridge in Blind Slough and encompass all of Knappa Slough and require Compact action.
- Oregon State waters extend upstream from the Railroad Bridge and require Oregon State action.

Recommendation - Blind Slough/Knappa Slough Select Area

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| Winter Season: | Sunday nights from February 21 through March 1 (2 nights), Wednesday and Sunday nights from March 3 through March 29 (8 nights) and Sunday night April 4 (1 night) Open hours are from 7 PM to 7 AM (12 hours) |
| Spring Season: | Monday and Thursday nights from April 15 through June 11 (17 nights). Open hours are 7 PM to 7 AM (12 hours). |
| Area: | Blind Slough area only open during winter season and both Blind Slough and Knappa Slough areas open during spring season. From May 3 through June 11, the lower boundary of the Knappa Slough fishing area is extended downstream to boundary lines defined by markers on the west end of Minaker Island to markers on Karlson Island and the Oregon shore (fall boundary). |
| Gear: | A 7-inch minimum mesh size restriction during the winter season and a 9¾-inch maximum mesh size restriction during the spring season. Nets restricted to 100 fathoms in length with no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 5 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Permanent transportation regulations will be in effect. 24-hour Quick Reporting Rule in effect for Washington buyers |

- ✓ Additional winter fishing periods between March 10 and April 5 will provide access to locally returning spring Chinook with minimal risk of increasing impacts to upriver stocks.
- ✓ At the preseason public meeting, industry requested that the maximum mesh size be increased for the spring season in all Select Areas. The 8-inch maximum mesh restriction was put in place to control incidental harvest of white sturgeon. Staff believes that the weekly landing limits are sufficient to limit sturgeon catch in the Select Areas and allow the opportunity to maintain total harvest within guidelines.
- ✓ Fishing seasons are generally concurrent with the other Select Areas to minimize congestion in the fishing sites.

Tongue Point/South Channel Full-Fleet Commercial Test Fishery

- All waters in the Tongue Point/South Channel Select Area are under concurrent Oregon and Washington jurisdiction and require Compact action.

| <i>Recommendation – Tongue Point/South Channel Select Area</i> | |
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| Spring Season: | Monday and Thursday nights from April 19 through June 11 (16 nights). Open hours are 7 PM to 7 AM (12 hours). |
| Area: | The spring season Tongue Point fishing area includes all waters bounded by a line extended from the upstream (southern most) pier (#1) at the Tongue Point Job Corps facility through navigation marker #6 to Mott Island (new spring lower deadline), a line from a marker at the southeast end of Mott Island northeasterly to a marker on the northwest tip of Lois Island, and a line from a marker on the southwest end of Lois Island westerly to a marker on the Oregon shore. The South Channel area includes all waters bounded by a line from a marker on John Day Point through the green USCG buoy #7 to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to the flashing red USCG marker #10, northwesterly to a marker on Burnside Island defining the upstream terminus of South Channel. |
| Gear: | In the Tongue Point fishing area, gear restricted to a 9¾-inch maximum mesh size, maximum net length of 250 fathoms, and weight not to exceed two pounds on any one fathom. In the South Channel fishing area, gear restricted to a 9¾-inch maximum mesh size, maximum net length of 100 fathoms, and no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 5 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | During April 19 through May 14, transportation or possession of fish outside the fishing area is unlawful until ODFW staff has biologically sampled individual catches. A sampling station will be established at the MERTS dock during the first eight fishing periods (April 19-May 14). After sampling, fishers will be issued a transportation permit by agency staff. Beginning May 17, fishers are required to call 503-428-0518 and leave a message including name, catch, and where and when the fish will be sold. 24-hour Quick Reporting Rule in effect for Washington buyers |

- ✓ Test fishing will be conducted during the week prior to the recommended opener in order to gauge whether the proposed start date should be postponed.
- ✓ Staff intend to closely monitor the stock composition of Chinook landed in this fishery and will propose modifications to season structure (including closure) if needed.
- ✓ Although staff anticipates catches in the proposed fishery will be limited given recent releases, it will provide additional information on the potential to re-establish this site as a spring Chinook fishery.
- ✓ Given the new lower deadline, which functioned well in the limited 2008 and 2009 full-fleet test fisheries, and the delayed season opening, staff believes impacts to non-target stocks will be minimal. Impacts to upriver spring Chinook during the 2008 full-fleet test fishery totaled 18 fish (0.010%) and in 2009 totaled 37 fish (0.022%).

- ✓ Fishing seasons are generally concurrent with Youngs Bay, Blind Slough, and Deep River periods to minimize congestion in the fishing areas.

Deep River Commercial Fishery

- Concurrent jurisdiction waters extend downstream from the Highway 4 Bridge and require Compact action.

| <i>Recommendation - Deep River Select Area</i> | |
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| Winter Season: | Monday and Wednesday nights from February 22 through April 8 (14 nights) Open hours are from 7 PM to 7 AM (12 hours) |
| Spring Season: | Sunday and Wednesday nights from April 14 through June 10 (17 nights). Open hours are 7 PM to 7 AM (12 hours). |
| Area: | Deep River fishing area from the markers at USCG navigation marker #16 upstream to the Highway 4 Bridge (all concurrent water) |
| Gear: | 7-inch minimum mesh size restriction during the winter season and a 9¾-inch maximum mesh size restriction during the spring seasons. Nets restricted to 100 fathoms in length with no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. Nets cannot be tied off to stationary structures. Nets may not fully cross navigation channel. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 5 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Transportation or possession of fish outside the fishing area (except to the sampling station) is unlawful until WDFW staff has biologically sampled individual catches. After sampling, fishers will be issued a transportation permit by agency staff. During the winter season arrangements must be made with Jeremy Wilson at 360-795-0319 for the place and time of sampling. In the spring season a sampling station will be established downstream of the Highway 4 Bridge at the upper pen site at Stephen’s dock. 24-hour Quick Reporting Rule in effect for Washington buyers |

- ✓ Additional fishing periods throughout the winter season will provide access to locally returning spring Chinook with minimal risk of increasing impacts to upriver stocks, based on the results of additional periods included in the winter season in 2009.
- ✓ Some fishing periods in the winter and spring seasons are recommended as non-concurrent with the other Select Area fishing sites to encourage participation at the Deep River site.
- ✓ Night fishing periods and weekend closures during the spring season will minimize interactions with recreational anglers.
- ✓ Split fishing periods allow for fishery modifications as needed to maximize catch of SAFE produced spring Chinook and minimize handle of listed species.

Youngs Bay Commercial Fishery

- All waters in Youngs Bay are Oregon State waters and require Oregon State action.
- Effective February 13, 2008, non-resident commercial fishing and boat licenses are not required of Washington fishers participating in Youngs Bay commercial fisheries. A valid fishing and boat license issued by the state of Washington will be considered adequate for participation in this fishery. The open area for non-resident commercial fishers includes all areas open for commercial fishing. Per permanent rule, all landings from Youngs Bay must be delivered to an Oregon licensed buyer.

| <i>Recommendation – Youngs Bay Select Area</i> | |
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| Winter Season: | <p><u>Entire bay:</u> Sunday, Tuesday, Wednesday, and Thursday nights from February 21 - March 5 (8 nights) Open hours are from 6 PM to 6 AM (12 hours).</p> <p>Noon Sunday March 7 to 6 AM Monday March 8 (18 hours)</p> <p>6 PM Wednesday March 10 to 6 AM March 11 (12 hours)</p> <p><u>Upstream of Old Youngs Bay Bridge:</u> 6 PM Sunday March 14 to 6 AM Monday March 15 (12 hours) 6 PM Sunday March 21 to 6 AM Monday March 22 (12 hours) 6 AM to 10 AM Monday March 29 (4 hours) Noon to 4 PM Monday April 5 (4 hours)</p> |
| Spring Season: | <p><u>Entire bay:</u> 6 PM Thursday April 15 – 6 AM Friday April 16 (12 hours) 6 PM Monday April 19 – 6 AM Tuesday April 20 (12 hours) 6 PM Thursday April 22 – 6 AM Friday April 23 (12 hours)</p> <p>6 PM Monday April 26 - noon Tuesday April 27 (18 hours) 6 PM Thursday April 29 - noon Friday April 30 (18 hours)</p> <p>Noon Monday May 3 - noon Friday May 7 (4 days) Noon Monday May 10 - noon Friday May 14 (4 days) Noon Monday May 17 - noon Friday May 21 (4 days) Noon Monday May 24 - noon Friday May 28 (4 days) Noon Monday May 31 - noon Friday June 4 (4 days) Noon Monday June 7 - noon Friday June 11 (4 days)</p> |
| Summer Season: | <p><u>Entire bay:</u> Wednesdays through Fridays weekly from June 16 to July 30 (14 days). Open hours are from 6 AM Wednesday to 6 AM Friday</p> |
| Area: | <p><u>February 21 through March 11 and April 15 through July 30:</u> Youngs Bay fishing area with upper boundary at the confluence of the Youngs and Klaskanine rivers.</p> <p><u>March 14 through April 5</u> Old Youngs Bay Bridge upstream to the confluence of the Youngs and Klaskanine rivers.</p> |
| Gear: | <p>A 7-inch minimum mesh size restriction during the winter season and a 9¾-inch maximum mesh size restriction during the spring and summer seasons.</p> <p>Maximum net length of 250 fathoms and weight on leadline not to exceed two pounds in any one fathom. Red corks are required at 25-fathom intervals and red corks must be in contrast</p> |

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| | to corks used in the remainder of the net. |
| | Use of additional weights or anchors attached directly to the headline is allowed upstream of markers located approximately 200 yards upstream of the mouth of the Walluski River. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 5 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Permanent transportation rules will be in effect. |

- ✓ The winter season will target the first arrivals of the age-5 component of the run prior to the time when non-local Chinook stocks are typically present. Additional nightly periods were added at the request of industry. Staff feels the additional time in late February and early March presents little risk to upriver stocks.
- ✓ Additional winter fishing periods after mid-March with reduced area boundaries and progressively restrictive open hours provides additional area and harvest opportunity, reduces opportunity for pinniped predation on adult returns, and minimizes impacts to upriver stocks that may be in the lower bay area during this timeframe.
- ✓ The 29-day spring fishery consisting of progressively increasing fishing time is designed to maximize harvest of local stocks while minimizing impacts to non-local stocks.
- ✓ As with all Select Area winter, spring, and summer fisheries, landings will be monitored weekly to determine stock composition. In-season modifications to fishing periods may occur to maximize harvest while minimizing impacts to non-target stocks.
- ✓ Spring fishing periods are generally concurrent with other Select Areas to minimize congestion in fishing areas.
- ✓ The 14-day summer fishery is recommended to provide harvest opportunity on remaining local spring Chinook and early returning Select Area bright (SAB) stock fall Chinook while allowing for SAB broodstock escapement.

Select Area Recreational Fisheries

- Permanent angling regulations for Oregon waters within the Select Areas of Youngs Bay and Blind Slough/Knappa Slough are listed in the 2010 Oregon Recreational Fishing Regulations booklet. These waters are open year-round to Chinook salmon (fin-clipped only during January 1-July 31), adipose fin-clipped steelhead, and adipose fin-clipped coho except for some tributary closures.
- Permanent Washington recreational fishing rules list waters of Deep River from the mouth to the town bridge open to Chinook salmon (fin-clipped only during January 1-July 31), fin-clipped steelhead, and adipose fin-clipped coho the entire year.
- In order to ease enforcement of co-occurring recreational fisheries in Select Areas and the mainstem Columbia River, the Joint Staff recommends that bag limits in Select Area recreational fisheries be modified to match those of the mainstem when these fisheries are open concurrently.

Recommendation - Select Area Recreational Fisheries

On days when the mainstem Columbia River recreational fishery below the I-5 Bridge is open to retention of Chinook, the daily bag limit in Oregon and Washington Select Areas may not include more than one adipose fin clipped Chinook.

All other permanent regulations apply, including retention of up to two adipose fin-clipped Chinook in Select Areas on days when the mainstem fishery is closed to Chinook retention.

Issues Requiring Compact/Joint State Consideration

- Non-treaty commercial salmon fishing plan & gear regulations – Compact Endorsement (pages 7-9)
- Blind Slough/Knappa Slough commercial fisheries – Compact and Oregon State Action (page 15)
- Tongue Point Select Area commercial fisheries – Compact Action (page 16)
- Deep River Select Area commercial fisheries – Compact Action (page 17)

- Non-treaty spring Chinook recreational fishing season – Joint State Action (page 9-10)
- Hatchery steelhead and shad retention – Joint State Action (page 11)
- Recreational white sturgeon fisheries above Wauna Powerlines – Joint State Action (page 11)
- Recreational white sturgeon fisheries below Wauna Powerlines – Joint State Action (page 12)
- Select Area recreational fisheries – Joint State Action (page 19-20)

- Lower Willamette recreational white sturgeon fishery – Oregon State Action (page 13)
- Youngs Bay Select Area fisheries – Oregon State Action (page 18-19)

FUTURE MEETINGS

- The Joint Staff is not recommending any additional Compact hearings at this time.
- A Compact hearing may be needed late next week to review ongoing Treaty fisheries.
- Based on the commercial fishing plan, the Compact should be prepared to meet on the following Mondays:
 - March 8, March 15, March 22, and March 29