

Joint-State Columbia River Fishery Policy Review Committee

Narrative Descriptions of Policy Issues, Alternatives and Options under Consideration and Status of Decision-Making Consideration

August 29, 2019

Following is a listing of possible policy changes related to non-treaty spring chinook fisheries as part of the Oregon-Washington review of Columbia River salmon and steelhead fishery management under consideration by the Joint-State Columbia River Fishery Policy Review Committee (PRC) process. Policy issues that have been introduced for active consideration during the process are listed below, together with a narrative description of status quo and identified potential alternatives from current status quo associated with that particular issue. The current status of PRC discussion and/or a recommendation on each alternative is also shown, including rationale for any action taken to date to eliminate or de-prioritize an alternative from further consideration at this time.

Spring Chinook

Issue 1: Allocation of Upriver spring Chinook impacts between non-treaty fisheries

This issue involves the allocation of Upriver spring Chinook impacts between recreational and non-treaty commercial fisheries. Allocation sharing applies to the fisheries occurring in concurrent Columbia River waters downstream of Highway 395 near Pasco, WA; the Snake River, and Select Areas. The allocations (% share) of Upriver spring Chinook are of the available ESA impact allowance for non-treaty fisheries, not total harvest.

The *U.S. v Oregon* Management Agreement specifies that fisheries occurring prior to an in-season run size update will be buffered by assuming a run size of 70% of the pre-season forecast. The buffer is intended to ensure that fisheries occurring prior to an in-season run size update do not exceed allowable ESA impacts in the event the run comes in below the pre-season forecast.

The *U.S. v Oregon* Management Agreement also specifies that non-treaty fisheries are to be managed to not catch more total Upriver spring Chinook than treaty fisheries are allowed to catch. This requirement for 'Catch-Balancing' applies to all fishery-related mortality in non-treaty fisheries (harvested fish plus released fish that subsequently die). This requirement is intended to ensure that non-treaty fisheries using mark-selective techniques do not harvest more Upriver spring Chinook than treaty fisheries are allowed to harvest. Staff accounts for these factors, as well as Commission allocation policies, in developing and implementing non-treaty fisheries.

- Status Quo
 - PRC recommendation/Current WA policy
 - Catch sharing of spring Chinook between the recreational and commercial fishery is based on the allocation or sharing of impacts on ESA-listed Upriver spring Chinook allowed for non-treaty fisheries, with 70% provided to recreational and 30% to commercial

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- Oregon has yet to formally act on the PRC recommendation of February 26, thus status quo in Oregon remains at their 2013 long term policy of an 80%/20% recreational/commercial allocation.
- Alternative 1 (similar to 2011-2013)
 - Change the allocation of recreational/commercial to 60%/40%.
- Alternative 2
 - Use an abundance-based matrix for recreational/commercial allocation. A description of an abundance-based matrix has not been detailed at this time.
- *Status of Consideration: All alternatives are active for further analysis.*

Issue 2: Allowable mainstem commercial gear

This issue involves establishing allowable commercial gear types for non-treaty commercial fisheries targeting spring Chinook in the mainstem Columbia River. Prior to 2002, large -mesh gill nets were the primary gear used in this fishery. Beginning in 2002, tangle nets (combined with other live-capture regulations) were implemented as a new gear to maximize harvest of hatchery spring Chinook. Both gear types were used for mark-selective fishing during 2002-2016 with large mesh gill nets primarily used early and/or late in the season when steelhead and/or shad were more abundant. Non-treaty commercial fisheries in the mainstem have not occurred since 2016 due to policy changes.

- Status Quo
 - PRC Recommendation/Current WA Policy
 - Allowed mainstem gear types include tangle nets prior to the Upriver spring Chinook run size update (pre-update) and tangle nets and gill nets post-update.
 - Oregon has yet to formally act on the PRC recommendation of February 26, thus status quo in Oregon remains at their 2013 long term policy of restricting commercial gear in mainstem areas to tangle nets (post-run size update) only.
- Alternative 1/Original long-term Harvest Reform intent/OFWC Policy
 - Commercial mainstem gears restricted to tangle nets (post-run update) only.
- Alternative 2
 - Commercial mainstem gears restricted to alternative gear (non-tangle net) only.
- *Status of Consideration: Active for further analysis.*

Issue 3: Allocation of Upriver spring Chinook within recreational fisheries

This issue involves the allocation between lower river (below Bonneville Dam) and upriver (Columbia River upstream of Bonneville Dam and the Snake River) recreational fisheries, and allocation within the upriver allocation between recreational fisheries in concurrent Oregon-Washington mainstem Columbia River waters and recreational fisheries in the Snake River. As with recreational and commercial allocations, the allocation here is of ESA impacts; the *U.S. v Oregon* pre-season run size buffer and Catch-Balancing provisions apply.

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When there are not enough harvestable fish available to support the desired fisheries, allocation conflicts can occur. This is the case with sharing of Upriver spring Chinook within the recreational fisheries above and below Bonneville Dam. Prior to 2001, mainstem Columbia River spring Chinook fisheries only occurred in the lower river downstream of the Willamette River and primarily from January through the end of March. There were no fisheries upstream of the Willamette River. Beginning in 2001, several things happened including; a) the majority of hatchery spring Chinook were mass-marked, b) a new abundance-based harvest rate schedule was adopted; and c) a record high return of Upriver spring Chinook to the Columbia River. As a result, spring Chinook fisheries were extended in time and area to provide additional opportunity, including some limited opportunity above Bonneville Dam. Beginning in 2002, fisheries above Bonneville expanded to include the area from Bonneville Dam to McNary Dam and the Snake River.

Since 2002, interest in the spring Chinook fisheries above Bonneville Dam has increased. Trying to balance meeting ESA goals and recreational fishery allocations can be challenging for fishery managers. The timing of the Upriver run over Bonneville has tended to be later than normal in several years since 2002, making it difficult to accurately estimate the run size in-season in a timely fashion.

- Status Quo (unchanged by the PRC recommendation of February 26)
 - Sharing of spring Chinook between lower river and upriver recreational fisheries is based on the allocation of impacts on ESA-listed Upriver spring Chinook allowed for in non-treaty recreational fisheries, with 75% of that allocation currently provided for lower river fisheries and 25% provided to upriver fisheries.
 - Catch sharing of spring Chinook impacts between recreational fisheries from Bonneville Dam to the Oregon-Washington state line area are allocated 10% (40% of 25%) and recreational fisheries in the Snake River are currently allocated 15% (60% of 25%).
 - Under the *U.S. v Oregon* Management Agreement, prior to the first run size update from the Technical Advisory Committee (TAC), non-treaty fisheries will managed for the allowed treaty catch guideline based on a run size that is 70% of forecast (i.e. 30% run size buffer).
- Alternative 1
 - Change the allocation of lower river/upriver fisheries to 65%/35%.
 - Change the allocation within the upriver 35% allocation to 15%/20%.
- Alternative 2
 - Change the allocation of lower river/upriver fisheries to 85%/15%.
 - Change the allocation within the upriver 15% allocation to 5%/10%.

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- Alternative 3
 - Change the allocation of ESA impacts for lower river/upriver fisheries from 75%/25% and the sub-allocation of 10%/15% between the fishery in the Bonneville Dam to the WA/OR State line and the Snake River, by moving 500 fish (Upriver spring Chinook kept plus release mortalities) from the fishery below Bonneville Dam to the Snake River fishery.
- *Status of Consideration: Active for further analysis.*

Issue 4: Provide improved season stability for Upriver spring Chinook recreational fisheries

For the past 15 years, WDFW has heard from southeast Washington stakeholders about the perceived inequity of spring Chinook fisheries above Bonneville Dam and the Snake River compared to below Bonneville Dam. The stakeholders believe they have compelling reasons why WDFW/ODFW and the Fish and Wildlife Commissions should reconsider the current 75%/25% below/above Bonneville recreational allocation policy that guides recreational spring Chinook fisheries in the Columbia River. On July 17, 2018 IDFG staff (Lance Hebdon), ODFW Staff (Chris Kern), WDFW staff (i.e., Bill Tweit, Ryan Lothrop, Chris Donley) and Washington Fish and Wildlife Commissioners Graybill and Thorburn met with a group of stakeholders in Kennewick, Washington. The meeting focused on discussing methods to increase the number of spring Chinook allocated to above Bonneville Dam fisheries. The input heard at the meeting and resulting correspondence generated the list of concepts presented below. In the end, southeast Washington stakeholders are seeking increased access to spring Chinook above Bonneville Dam with assurances that there is a reasonable recreational fishery above Bonneville Dam every year. WDFW has continued communication with this group regarding Washington's five-year policy performance review and the PRC process.

- The basis for allocation is the allowable impacts on constraining ESA listed stocks as follows.
 - Sharing of spring Chinook between lower river and upriver recreational fisheries is based on the allocation of impacts on ESA-listed Upriver spring Chinook allowed for in non-treaty recreational fisheries, with 75% of that allocation currently provided for lower river fisheries and 25% provided to upriver fisheries.
 - Catch sharing of spring Chinook impacts between recreational fisheries from Bonneville Dam to the Oregon-Washington state line area are allocated 10% (40% of 25%) and recreational fisheries in the Snake River are currently allocated 15% (60% of 25%).

Under the *U.S. v Oregon* Management Agreement, prior to the first run size update from the Technical Advisory Committee (TAC), non-treaty fisheries will managed for the allowed treaty catch guideline based on a run size that is 70% of forecast (i.e. 30% run size buffer).

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Option 3: Apply buffer only to fisheries below Bonneville Dam

- Status Quo
 - The buffer is applied to all recreational fisheries (described in Option 1).
- Alternative 1
 - Rather than applying the same Upriver spring Chinook run-size buffer to all fisheries as currently occurs, this concept would not subject recreational fisheries upstream of Bonneville Dam to the run size buffer, similar to what currently occurs with Select Area commercial fisheries (see description of 30% buffer in Issue 3 – Status Quo).
- *Status of Consideration: Active for further analysis.*

Option 4: Establish a set season above Bonneville Dam

- Status Quo
 - Allowed impacts based on current allocation sharing policies are applied to mainstem Columbia River fisheries above and below Bonneville Dam to develop a season structure with a planned end date, which occurs prior to the run update. However, the fisheries are monitored and evaluated during the season and may be closed early, or extended, based on in-season performance. Recreational fisheries in the Snake River start prior to the run update and are also managed in-season based on the run size update and available allocation, but occur later in the year, with the majority of the annual fishery in this area occurring after a run size update; in-season management can expand planned seasons or cancel them.
- Alternative 1
 - This concept would establish a set-season for fisheries upstream of Bonneville Dam.
- *Status of Consideration: Active for further analysis.*

Option 8: No lower river extension beyond pre-season plan

- Status Quo
 - Extensions are allowed as a normal in-season measure.
- Alternative 1
 - This option sets restrictions on operation of the recreational fishery below Bonneville Dam by not allowing fisheries extensions prior to the run update. Proponents of this option intended for no fishery extension in the lower river prior to a run update.
- *Status of Consideration: Active for further analysis.*

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Issue 5: Allocation of unused commercial impacts

This issue involves allocation of impacts from the commercial fishery that are not used during the season.

- Status Quo
 - The two states have different policies/rules regarding the use of unused non-treaty commercial spring Chinook allocation.
- Alternative 1
 - OR Policy: apply unused non-treaty commercial allocation to escapement.
- Alternative 2
 - WA policy: no restrictions on unused allocation (can be applied to escapement or upriver recreational fisheries).
- *Status of Consideration: Active for further analysis. This has not yet been addressed by the PRC.*