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Comments to the Bi-State Fish and Wildlife Commission Review of the Columbia River Fishery Management and Reform

The Conservation Angler believes The Bi-State Policy Review of the Columbia River Fishery Reforms holds little promise for resolving the fish harvest management problems in the Columbia River basin.

There are three reasons for this problem:

1. The Management and Reform statutory language at ORS 508.980(1) is focused on economic issues. This focus conflicts with both Commission's primary mission which are to prevent the serious depletion of indigenous species (for Oregon at ORS 496.012) and to preserve, protect and perpetuate fish, wildlife and ecosystems (for Washington at RCW 77.04.012).
2. If the primary objectives are not met (including the conservation objectives), the two commissions must provide for "adaptive management actions" as described (though not limited to) in ORS 508.980(2)(a), (b) and (c). These three examples frame the primary actions being pursued by the two Commissions.
3. Neither state has established population or river-specific spawning escapement or egg deposition criteria for wild salmon (and steelhead) which should form the basis for management, but which are assumed to be met once harvest and hatchery broodstock has been authorized and accomplished.

Oregon and Washington are trying to allocate scarce wild salmon already depleted by a host of factors, and two of these – harvest and hatchery management – remain as limiting factors as well as agency management "tools" that are within their direct control. The mixed-stock and non-selective nature of the fisheries under regulation within the "Management and Reform" framework cannot and will not recover depleted populations of wild salmon and steelhead without explicit river-specific management criteria for spawning escapement and egg deposition – by species, population and river-reach.

Development and adoption of a more thoughtful and comprehensive solution to Columbia River fish management by the Oregon and Washington Fish and Wildlife Commissions must occur "within a conservation-based framework" that is currently missing in the statutory and administrative regime being addressed. The specific manner in which recreational fisheries are conducted have not prevented persistent exceedance of harvest limits and quotas meant to protect and foster the recovery of ESA-listed species. The absence of a statistically valid and contemporaneous monitoring and observation program for both sport and non-treaty commercial fisheries fosters uncertainty among managers and fishers alike.

This plan needs to be more than just a reallocation of the quotas between the competing fisheries. This plan needs to be more than a hatchery production vehicle. Hatcheries have broodstock recovery requirements for collecting adult salmon and steelhead and their eggs - somehow, rivers do not. Wild spawner escapement in Washington and Oregon, and wild juvenile outmigration and survival (especially from rivers without counting stations or monitoring regimes) are either unmeasured or estimated by surrogates of tagged hatchery juveniles or dam counts of other nearby populations.

To comply with adopted recovery programs for ESA-listed wild salmonids, a spawner escapement requirement is needed, but there must be effective controls on commercial and sport harvest if the plans are to begin achieving progress. While allocation among the various competing fisheries is important, it is also important for the future of those fisheries to establish an allocation for spawner escapement. If it works for hatcheries, it will work for rivers.

State law and administrative rule both support management of harvest to achieve for each watershed a minimum spawner escapement requirement by species and stock. Oregon's Guiding Principles for Columbia River Fisheries Management (OAR 635-500-6705(1) thru (4)) actually set forth conservation and recovery as the leading principles in the framework – yet there are no specific actions or deliverables for the Department to use as a daily action plan, nor any specific criteria for the Commission to use in reviewing Department performance towards goals.

Washington conducted an in-depth review of their Management and Reform Policy (C-3620) and by their own reporting found that by most measures, the Reform Plan was not achieving its objectives. Fishery groups have agreed with those findings for different reasons.

The Conservation Angler believes that the Commissions implementing the Columbia River Fishery Management and Reforms must incorporate the following actions to be compliant with the statutes and, more critically, to be successful:

1. Establish river-specific management (RSM) criteria for wild spawning escapement and egg deposition requirements by species, population and river reach.
2. Modify hatchery production related to the Reforms so it becomes responsive to environmental conditions in the marine and freshwater. Hatchery production should be modified to avoid creating the predation attraction issues affecting both juveniles and adults as well as associated weak stocks.
3. Design, fund and consistently apply a consistent and statistically valid monitoring and observation program for all recreational and non-treaty commercial fisheries within the Management area.
4. Establish a Management Area-wide set of regulations that minimizes lethal encounters of non-target species that sets No Fishing Sanctuaries where the EPA's 13 most critical Cold-Water-Refugia exist.
5. Establish permanent regulations requiring the use of barbless hooks, no-bait rules in fisheries encountering salmon or steelhead that must be released, prohibits the use of toxic bait that harms juvenile salmonids, birds or other aquatic species. eliminates party-boat rules, requires in-water safe release, establishes individual daily, season and boat limits, requires logbooks by all fishers,
6. Revise Recreational Season Expectations to provide for alternating open and closed days so that fishery impacts may be evaluated in real-time and salmonid migrations may be facilitated.
7. Review existing county-oriented administration and effectiveness of the Columbia River Fisheries Transition Grant Program as established in OAR 635-440-001 to -0035.
8. Establish effective funding sources and processes for non-tribal commercial gillnet permit buybacks as previously envisioned by the Legislature in 1982 and in the NW Power and Conservation Council.
9. The states and tribes must ensure that all hatchery fish are marked so fishers can be selective.
10. Hatchery fish released in the Select Area Fisheries are "homeless" and those that are not caught are highly likely to stray into streams that contain ESA-listed Tule chinook, coho and chum.

The Conservation Angler greatly appreciates the time and effort both Oregon and Washington have committed to this process, but it is essential to success to develop and implement a legitimate conservation-based framework for the management of Columbia River fisheries. There will be no fisheries if we do not protect and recover the wild salmon and steelhead. That is job-one.

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