



Columbia River Salmon Fishery Policy Workgroup (CRW)

Public Comments received between June 2, 2020 through June 10, 2020

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Name	Brian McLachlan
Email	bamclachlan@hotmail.com
Address	Portland Oregon
Comments	Please see the attached comments.
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Brian McLachlan
Portland, Oregon
June 8, 2020

Washington Fish and Wildlife Commission
Columbia River Policy Workgroup
Submitted via <https://wdfw.wa.gov/about/commission/columbia-river-policy-review>

Re: Draft policy language deviations from statutory mandate

Dear Commissioners:

At the May 27, 2020 Columbia River Policy Workgroup meeting, I provided comments noting, among other things, that (1) the purpose statement contained in the Workgroup's draft policy deviated from WDFW's legislative mandate as set forth in RCW 77.04.012; and (2) that the draft policy's guidelines, instead of being forward looking, used a benchmark that favored the commercial fishing industry by institutionalizing in policy the historical status quo.

In response, Commissioner Graybill requested that I provide the Workgroup with the text of the applicable statute so that he could compare it directly to the draft policy.

In relevant part, RCW 77.04.012 provides:

. . . the department shall seek to maintain the economic well-being and stability of the fishing industry in the state. The department shall promote orderly fisheries and shall enhance and improve recreational and commercial fishing in this state.

The corresponding section of the Workgroup's draft policy purpose statement reads:

The over-arching purposes of this Policy is [sic] . . . to maintain and enhance the economic well-being, and geographic stability of the recreational and commercial fishing industries; and to conduct orderly fisheries in waters in which the states of Oregon and Washington have concurrent jurisdiction.

Columbia River Policy Workgroup, May 27, 2020, Agenda Item 3 p. 2.

In addition, under the heading "Guiding Principles", sub-heading "Maintaining, Enhancing, and Optimizing the Economic Well-being and Stability of Recreational and Commercial Fisheries," the draft policy directs WDFW to:

. . . seek to enhance the overall economic well-being and stability of Columbia River recreational and commercial fisheries in comparison to that yielded by the policies in place in the three years prior to the harvest reform policy provisions that began in 2013.

Id. at 5.

While the language used in the draft policy is similar to the language set forth in the statute, a close comparison reveals the draft to contain subtle but material deviations from WDFW's statutory mandate.

For example, contrary to the draft policy, the statute does not require WDFW to seek to "enhance" the economic well-being of the commercial fishing industry. Rather, it requires WDFW to seek only to "maintain" the economic well-being and stability of the "fishing industry" in the state. The statute thus does not require "enhancement" of an industry, and it speaks in terms of the fishing industry as a whole, rather than requiring maintenance of a specific sector.

In addition, the draft policy's purpose statement omits the important and distinct statutory directive to "enhance and improve recreational and commercial fishing in the state." Here, the statute does not reference the fishing "industry" but instead "recreational and commercial fishing." Thus, the statutory directive to "enhance and improve" applies to commercial and recreational fishing, not the industries that support or prosecute those fisheries. Although perhaps subtle, this is a significant distinction in my view, as "fishing" may be enhanced and improved in terms of efficiency and the cumulative net economic and social benefits provided to the people of the State of Washington as a whole, while not necessarily enhancing or improving the economics of an industry sector.

Also, contrary to the draft policy, the statute does not limit or qualify its objective of "stability" in terms of "geography" as the draft policy does.

In addition to the purpose statement, the draft policy's "Guiding Principles" section also deviates from statutory language. While the words "to enhance" are now applied to "recreational and commercial fisheries" consistent with the statute, the policy now applies "overall economic well-being" to recreational and commercial fisheries rather than the "fishing industry" as provided in the statute. Also, where the statute mandates WDFW to "improve" fishing, the draft policy instead directs WDFW to seek to enhance the "stability" of the fisheries.

More troubling still, the draft policy guideline's objective to enhance recreational and commercial fisheries is qualified "in comparison to" a historical benchmark, namely the performance of the fisheries in 2010 through 2012. The statute contains no such restrictive benchmark. Not only does the benchmark thus depart from the statute, it serves to institutionalize the historic status quo by setting a policy objective with reference to a past time before the Columbia River Reforms were implemented. It thereby favors commercial fishing interests at the expense of recreational fishing and impedes progress toward optimizing overall economic and social benefits for the citizens of the state. The past is the past – in financial terms, a "sunk cost." Shouldn't the Commission's objective be to move forward with the best policy for the future regardless of what economic performance or allocations were nearly a decade ago?

While the above-mentioned additions and omissions that stray from WDFW's legislative mandate may seem trivial, the statute's language has been litigated in, and interpreted by, Washington's courts, and the State of Washington has taken positions on the meaning of the statute's precise language. *See e.g., Puget Sound Crab Ass'n v. State of Washington, 174 Wn.*

App. 572 (2013). And indeed, courts have drawn distinction between the two statutory provisions discussed above. *Id.* Thus, the Commission should respect and seek to give meaning to the Legislature's precise words, instead of muddling together two distinct statutory provisions.

If the Commission intends its policy to depart from or add to WDFW's statutory mandate, Commissioners should explain publicly what is intended and what purpose(s) these deviations serve. On the other hand, if the Commission does not intend its policy to depart from or add to the statute's directives, then why deviate from the statute's language at all? To deviate from the statute's language without an intentional purpose would be misguided and likely to generate confusion and disputes down the line. At a bare minimum, the Commission should consult agency counsel before including altered statutory language in the policy.

Thank you for considering my comments on this issue.

Best regards,

Brian McLachlan



Lower Columbia Fish Recovery Board

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~~~~~  
Steve Manlow  
Executive Director

11018 NE 51<sup>st</sup> Circle  
Vancouver, WA 98682  
(360) 425-1555

Mr. Larry Carpenter, Chair  
Washington Fish and Wildlife Commission  
PO Box 43200  
Olympia, WA 98504-3200

Dear Mr. Carpenter:

Subject: Fish and Wildlife Commission Recommendations on Hatchery and Fishery Reform Policy C-3619

The Lower Columbia Fish Recovery Board (LCFRB) is writing in response to the Fish and Wildlife Commission's (Commission) recent actions regarding updates to the Hatchery and Fishery Reform Policy C-3619. Hatchery and harvest reform are fundamental elements of the LCFRB's overall salmon steelhead recovery approach in the Lower Columbia region, and the LCFRB has worked closely with Washington Department of Fish and Wildlife (WDFW) to facilitate implementation efforts since adoption of the Lower Columbia Salmon Recovery and Fish & Wildlife subbasin Plan (Recovery Plan) in 2006. We are therefore concerned with the Commission's recent recommendations regarding updates to the above-referenced policy, as well as the lack of opportunity for meaningful and broad public engagement in the Commission's formulation of recommendations. We offer the following for your consideration.

As one of the seven regional recovery organizations in Washington State, the LCFRB is charged by state statute with developing and facilitating implementation of a salmon and steelhead recovery plan for the Lower Columbia region. In that capacity, the LCFRB coordinated the development of State's first recovery plan that was adopted by the National Marine Fisheries Service (NMFS) in 2006, updated in 2010, and integrated into the NMFS Domain recovery plan in 2013. The adopted Lower Columbia Salmon Recovery and Fish & Wildlife Subbasin Plan (Recovery Plan) was developed in a collaborative, transparent and inclusive manner. The Washington Department of Fish & Wildlife (WDFW) was a key partner in developing the recovery plan, and is the lead partner in implementing its hatchery and harvest reform actions.

In the Lower Columbia region, large scale salmon and steelhead hatchery production has been occurring for over a century. For example, from 1913 to 1930, about 320 million Chinook salmon fry were released into the lower Columbia River by Washington State hatcheries alone, and similar numbers were estimated for Oregon and federal hatcheries. Around the time of initial Endangered Species Act (ESA) listings, Lower Columbia hatcheries were producing approximately 50 million salmon and steelhead per year, and approximately two-thirds of that number were tule fall Chinook. Total Lower Columbia production has since been reduced to approximately 41 million salmon and steelhead

(Columbia Basin Partnership, in press). However, salmon and steelhead adult returns are still dominated by production from the region's over 20 hatchery programs. Currently, about 82% of the fish returning to the Lower Columbia region are of hatchery origin.

The LCFRB fully realizes and appreciates the substantive economic and recreational benefits that hatcheries provide to our local communities, and that is well documented in the Recovery Plan. Our mission statement also highlights the importance of recovering salmon and steelhead to "healthy, harvestable levels that will sustain productive sport, commercial, and tribal fisheries". Hatcheries not only support commercial, recreational and Tribal fisheries in the Lower Columbia, they also play a key role in supporting reintroduction and supplementation programs for species such as spring Chinook and chum. The Recovery Plan recognizes that even after viable ESUs of salmon are recovered, hatcheries may continue to be needed to provide fish for fisheries as mitigation for permanent loss of habitat and hydro system mortality.

One of the greatest challenges we collectively face in the Lower Columbia region is maintaining viable fisheries on the path to achieving recovery of natural origin populations. While the "All-H" Recovery Plan recognizes the benefits of hatcheries, it also acknowledges that the historic hatchery production cited above has substantively reduced productivity of natural origin spawners. Hatchery impacts are most pervasive for spring Chinook, fall Chinook, and coho with natural productivity estimated to have been reduced by 40-50% for the majority of the populations. Along with degraded habitat conditions, hydro impacts in the Columbia, Lewis and Cowlitz Rivers, and historic harvest rates of 65%, 70% and over 80% for fall Chinook, spring Chinook and coho (respectively), hatchery production was a significant factor contributing to listing of Lower Columbia salmon and steelhead under the ESA in the late 1990s. However, substantive progress has been made in each area, including reducing hatchery and harvest impacts since the ESA listings - those sectors were the first to be impacted by ESA constraints, and WDFW has been proactive in implementing hatchery and harvest reform. These efforts need to be sustained.

As part of the All-H recovery approach in the LCR, the LCFRB collaborated with the WDFW to develop the Lower Columbia Conservation and Sustainable Fisheries Plan (WDFW & LCFRB, 2017) (CSF Plan). The goal of the CSF Plan is to support efforts to return natural origin salmon and steelhead to healthy and harvestable levels, while sustaining important Tribal, commercial and recreational fisheries. The CSF Plan sets forth specific strategies, actions, and management practices that WDFW will use in operating its Lower Columbia hatcheries and in managing related fisheries. The CSF Plan was adopted by both WDFW and the LCFRB, and represents a strong policy-level commitment by WDFW to address its respective hatchery and harvest implementation actions identified in the NMFS and State approved Recovery Plan. These actions comprise approximately 20% of the Recovery Plan's 365 actions. The principles of reducing the proportion of hatchery origin spawners and increasing the proportion of natural origin broodstock to achieve fitness and productivity gains in wild populations are foundational to CSF Plan management approaches. These principles were recently reaffirmed by WDFW's science review of Policy C-3619 (Anderson, 2020).

Recovery progress has been made with many populations, especially our Lower Columbia steelhead populations. However, significant challenges still remain for many populations, including reducing the number of hatchery fish on the spawning grounds through harvest, weirs, and program size adjustments, and improving population productivity. This is especially the case for tule fall Chinook and coho populations, which also continue to suffer from historic and ongoing habitat degradation that has not been successfully offset through land management improvements and active restoration. It is important to remember, however, that while hatchery, harvest, habitat and other impacts have accrued for over a century, we have only been actively trying to recover ESA-listed salmon and steelhead for several salmon life cycles. Fish population responses to recovery actions can take multiple generations to manifest, which conflicts with the public's expectation of immediate results. That expectation seems to be an important driver in the current impetus to increase hatchery production, despite the poor ocean conditions that appear to be depressing both hatchery and natural origin production across the northwest in recent years.

We have reviewed the Commission's recommended updates to Policy C-3619, as well as the prior suspension of key elements, and are concerned they may represent a pivot away from the overarching conservation and recovery direction of the existing policy, as well WDFW's commitments to implementing the CSF Plan. While we certainly understand the current pressure to increase hatchery production to better align with historic hatchery production levels, we believe it is critically important to ensure Policy C-3619 continues to ensure hatcheries are managed in a manner that continues to support efforts to rebuild ESA-listed salmon and steelhead to healthy and harvestable levels, in context of an "All-H" recovery approach. In light of this, we are providing specific comments and recommendations on the draft policy language in Appendix A.

The LCFRB believes that any changes in policy direction that affects future implementation of the Recovery Plan should be conducted in a manner that provides for thorough, comprehensive and transparent public review. Unfortunately, the Commission's original suspension of Hatchery Scientific Review Group (HSRG) elements of Policy C-3619 on June 15, 2018 was not expected, and did not provide for thorough stakeholder review. Although "possible guidance" was referenced on the agenda, there was no clear indication that the Commission would be considering suspending key policy elements during that meeting. As noted above, the suspended HSRG elements are foundational to WDFW's approach to implementing the hatchery reform actions under the CSF Plan. The Commission's suspension of those elements therefore raises questions regarding the status of WDFW's hatchery reform action implementation in the Lower Columbia region.

Similar to the above situation, the Commission's currently recommended Policy C-3620 update language was adopted on April 10, 2020, and there was little to no opportunity for thorough and meaningful stakeholder review before the Commission took action. The Fish Committee finalized recommended policy language on April 9, it was posted to the website on the morning of the April 10 meeting, and it was approved by the full Commission that same day. Although "Fish Committee Recommendation" was identified on the agenda and prior work plan documents, there was no opportunity for stakeholders to review the Commission's actual recommended language before it was vetted and adopted during the April 10 meeting. Stakeholder participation was limited, likely in part due to Governor Inslee's mandatory Covid 19 shutdown under Proclamation 20-05. Given the importance of hatchery management and reform to multiple stakeholders, including the LCFRB and other recovery organizations, we believe that a comprehensive and thorough public review opportunity is warranted as the both the Policy C-3619 and C-3620 review processes move forward.

We appreciate the opportunity for my staff to engage in the recent hatchery reform workshop with the Commission, Governor's Salmon Recovery Office, WDFW staff and Council of Regions. We also thank you for the opportunity to provide these comments. If you have any questions or would like to discuss them in more detail, please feel free to contact me at (503) 347-6251, or our Executive Director Steve Manlow at (360) 425-1553.

Sincerely,



Todd Olson  
Chairman  
Lower Columbia Fish Recovery Board

cc: Kelly Susewind, Director, WDFW  
Washington Fish and Wildlife Commission  
Steve Manlow, LCFRB  
Erik Neatherlin, GSRO



**APPENDIX A – LCFRB COMMENTS ON FISH AND WILDLIFE COMMISSION POLICY C-3619  
UPDATE LANGUAGE**

The following is a summary of LCFRB comments on the Fish and Wildlife Commission’s April 10, 2020 draft Policy C-3619 update language, in relation to the Lower Columbia Salmon Recovery and Fish & Wildlife Subbasin Plan (Recovery Plan), and the Conservation and Sustainable Fisheries Plan (CSF Plan).

***Purpose (Section B):***

This section expands the purpose of the policy to include providing mitigation for lost production in blocked areas, and sustainable economic and stability to fisheries. This expands the purpose of the policy to more than just hatchery reform actions as originally focused. Given the original focus on recovery, the expansion to include fishery benefits, without prioritization, is concerning. This could lead to hatchery programs being justified solely on the need to support fisheries, with potentially less emphasis on implementation of hatchery reform actions supporting recovery if they reduce fishery benefits. For instance, reducing program size may be a necessary hatchery reform action that may not occur under this updated policy because it would reduce support for fisheries. Including fisheries as a consideration in this policy is a reasonable change, but it should not be given the same priority as hatchery reform to support recovery. This recommended change has the potential to move toward a hatchery management strategy that does not prioritize the conservation and recovery of natural populations as intended with the original policy. We strongly recommend that the original intent be retained, but would support inclusion of the additional factors as supporting considerations in decision-making.

***General Policy Statement (Section D):***

This section calls for including a definition of mitigation for “permanently lost habitat”, as contrasted with “restorable” habitat. We support the concept of advocating for protection and restoration of currently damaged habitat. However, definitions for these terms need to be crafted to promote alignment with recovery plans and associated habitat strategies that already identify restoration priorities. Also, hatchery production for mitigation of “permanently lost habitat” should only be within the context of existing mitigation and program responsibilities and requirements, not as justification for increased production - unless the increase is fully consistent with recovery of natural origin populations.

Rather than advocating for more hatchery production to offset unmitigated impacts from permanently lost or impaired habitat, which can conflict with recovery needs for many populations in the Lower Columbia, we recommend focusing mitigation on substantively improving productivity and capacity of existing habitat in a manner that supports recovery of natural origin populations. This is a more ecologically sustainable, longer term solution that avoids exacerbating the impacts associated with hatchery production increases. Currently, we are only addressing about 14% of documented habitat restoration needs on a statewide basis.

We support the recommendation to include a narrative about achieving Treaty Indian fishery right obligations.

With regard to additional narrative regarding “broader ecological benefits”, it will be important to explicitly acknowledge that hatchery programs can produce both negative and positive ecological effects. The long-term focus and emphasis should be on restoring ecological benefits by returning natural origin salmon and steelhead to healthy and harvestable levels.

This section also includes a recommendation to add language to the policy regarding increasing salmon abundance to achieve “ecological, socio-cultural, legal, and fishery-related purposes”. Depending on how these items are prioritized and incorporated into the policy, this addition has the potential to conflict with hatchery reform actions and approaches identified for implementation in the CSF Plan, and the ability of WDFW to achieve the productivity targets set forth in the Recovery Plan. A key concern regarding incorporation of these additional purposes is how they would be weighed and prioritized relative to hatchery reform actions aimed at

recovery progress. For example, if these additional purposes are given equal priority with conservation and recovery of natural populations, then the updated policy will likely result in a reduction in hatchery reform efforts and increased adverse impacts to natural origin populations. Also, hatchery reform actions can be modeled to some degree to provide objective results. In contrast, the additional purposes can only be measured in very subjective terms, which can be problematic in determining how to best to manage hatchery programs. The WDFW and the Washington Academy of Sciences (WSAS) reviews also identified this challenge. Unless clear priorities are set, under the proposed language, hatchery management could shift toward management approaches used before adoption of Policy C-3619, and before implementation or Recovery Plan reform actions. This could lead to situations where full risk/benefit analyses cannot be completed and the adverse impacts of hatchery programs on natural populations are not fully recognized or addressed. In contrast, if these additional purposes are viewed as additional considerations to be evaluated when managing hatchery programs, and secondary to conservation and recovery needs, they would be less problematic. For example, this could involve first identifying various management options for a given hatchery program that each meet recovery objectives, and then applying the additional considerations to determine which is most appropriate from a broader perspective. Such a process would better align with the results of the WDFW and WSAS science reviews, which recognized the need to include these types of considerations as part of an effective hatchery management strategy.

***Policy Guidelines (Section E):***

This section refers to development of HGMPs in consultation with co-managers, which we assume to refer to Tribes. We believe that acknowledging and supporting the critical role of Tribes as co-managers is a critical addition to the policy.

While there are references to development of HGMPs, there are no references in the recommended policy update to ensuring alignment with state and federally adopted recovery plans, which were developed collaboratively with WDFW. Complying with ESA requirements associated with HGMPs, FHMPs and NOAA established fishery take limits is not the same as proactively working to achieve recovery plan targets. The former is often focused on avoiding “jeopardy” and maximizing harvest and hatchery production within ESA thresholds, whereas the latter is working proactively to recover ESA listed species to healthy and harvest levels, in light of population-specific goals. We encourage the Commission to include policy statements that call for alignment of hatchery plans with the goals, objectives, and threat reduction and productivity improvement targets identified in adopted recovery plans, and consulting with regional recovery organizations during plan development.

As mentioned above, identifying ecological risks of hatchery programs is critical to an effective hatchery management program, so we support the proposed addition of a guideline focusing on addressing them. WDFW and WSAS both identified the variety of ecological impacts that are associated with hatchery programs (i.e. competition, predation, disease, and facility effects). Unfortunately though, both reviews also recognized that there is little empirical data or modeling that is available to quantitatively estimate these impacts. In absence of estimates for these such impacts, we encourage consideration of carry capacity as an additional element to help determine appropriate programs sizes. WDFW and WSAS both identified program size as an essential and critical part of a hatchery management program and stressed that throughout Washington the majority of program sizes are large and likely having adverse ecological impacts. In fact, WDFW concluded that “Program size requires more careful scrutiny and scientific justification because it affects virtually every aspect of hatchery risks”. WDFW further concluded that “reducing program size may be a more important management action than reducing pHOS or increasing pNOB”. Ecological risks for each hatchery program should be evaluated by comparing hatchery production in comparison to the carrying capacity at both the juvenile and adult life stages. This could be implemented by assuming that if the total number of both hatchery and natural origin spawning adults or smolts exceeds the carrying capacity for either life stage, then the hatchery program could likely be having adverse impact on the natural population, which is supported by both WDFW and WSAS. In the Lower Columbia, EDT modeling has been used to estimate current production capacity, as measured by number of spawning adults and smolts, and these estimated capacities could potentially be used to help evaluate program

sizes. Similar information is available for other regions as well. For the Lower Columbia, determining appropriate program size could be further informed by population designations (Primary, Contributing and Stabilizing), as these reflect recovery priority in the Recovery Plan.

The Commission suspended implementation of HSRG standards in June of 2018, and the recommended policy update language in this section would permanently strike reference to those standards. This change will eliminate the use of HSRG standards and guidelines to evaluate and manage WDFW-operated hatchery programs. It is difficult to understand how hatchery programs would be managed or evaluated if there are no standards set with respect to their impacts on natural populations. While WDFW and WSAS did recognize that the HSRG guidelines were based on modeled results rather than empirical data, they both clearly stated that the HSRG guidelines regarding PNI, pHOS and pNOB were useful and needed to be maintained. In fact, WDFW concluded that “The principles of reducing pHOS and increasing pNOB to achieve fitness gains in wild populations are well-founded, and should be fundamental goals in any hatchery reform management action”.

To eliminate use of the HSRG guidance is contrary to WDFW’s own science review and conclusions regarding effective management of hatchery programs in Washington. Additionally, this change is contrary to the results of the WSAS review, the Lower Columbia Recovery Plan, and the CSF Plan. The CSF Plan was intended to be WDFW’s implementation plan for its actions in the Recovery Plan, and by adhering to the HSRG guidelines, WDFW could show that it was achieving the productivity and threat reduction targets set forth in the Recovery Plan. This would no longer be the case if WDFW ceases use of those standards. WDFW would need to develop a new methodology for determining if they are achieving the productivity targets set forth in the Recovery Plan. Based on the conclusions of WDFW and WSAS, managing for HSRG pHOS, PNI and pNOB standards in conjunction with maintaining appropriate program sizes would appear to be strong foundation for an effectively managed hatchery program. WDFW supported this concept in their review, and noted “These data strongly suggest that in addition to pHOS and PNI, an appropriately sized hatchery program is critical for ensuring that fitness in the natural environment is sustained in the integrated hatchery-wild population.” In light of the above, the revisions proposed by the Commission do not appear to align with best available science. Use of the above referenced HSRG standards should be retained.

The watershed-specific action plans identified in the previous policy do not appear to have ever been completed. They may have been completed for some basins within the state, but in the Lower Columbia, the CSF Plan replaced the need for these plans. We therefore request that the existing CSF Plan be used as the foundation for continuing to move forward with hatchery and harvest reform in the Lower Columbia region. However, we recognize the need to adaptively manage and update key elements based on the outcome of the WDFW and WSAS reviews.

We support maintaining both guideline points 5 and 11 from the previous Policy, as proposed. The recommended change to identify the need for operational costs is a positive addition.

Converting to a written annual report is a good step because it will provide an easily accessible record of what was presented to the Commission. The key is to clearly establish what will be included in this report. We suggest that this report needs to show how hatchery programs are being operated in a manner that supports the purposes of this policy, especially the purpose to “...advance the conservation of natural conservation and recovery of natural origin salmon and steelhead (salmon) by promoting and guiding the continuing to implementation of hatchery reform measures”. If use of the HSRG guidelines is abandoned, which as noted we would disagree with, there would still need to be objective metrics that could be used to evaluate short- and long-term impacts and benefits to natural origin populations. To date, no alternative metrics have been brought to the table for consideration.

The proposal to prepare an alternative to guideline #11 has the potential to result in actions that are inconsistent with both the Recovery Plan and CSF Plan. This bullet calls out the need to provide the highest level of genetic and ecological protection for natural populations that are in healthy status and have limited impact from hatchery programs. By omission, we are uncertain whether this means that there would be limited

protection provided to populations that are in less healthy state, or that are more highly impacted by hatchery programs. This prioritization of specific populations is potentially in conflict with the population designations set forth in the Recovery Plan, including its NOAA and WDFW approved “recovery scenario”. There should be some reference to the Recovery Plans in this prioritization of populations. As mentioned earlier, the expectation is that WDFW still needs to achieve their hatchery productivity improvement targets, which are developed to support the broader recovery scenario. This policy should clearly articulate this concept.

All HGMPs should be updated as part of the proposed annual reviews. The process of updating the HGMPs should include a thorough public review to ensure transparency in the process. The reviews, however, should not be just qualitative in nature. We recommend that they include population status updates and hatchery program evaluations to present information regarding the impact, adverse or beneficial, on natural populations. There should be specific metrics provided to show how hatchery production is interacting with natural populations. For listed populations, the evaluation should document WDFW’s progress toward achieving threat reduction and productivity improvement targets established in the Recovery Plan.

***Adaptive Management (Section F):***

Both WDFW and WSAS strongly indicated the need for a complete monitoring strategy. WDFW specifically recommended “crafting a stand-alone monitoring and adaptive management plan for each hatchery program that quantifies both benefits and risks, and explicitly links hatchery performance metrics to potential operational changes”. This bullet needs to be strengthened to call for this monitoring and adaptive management plan as recommended by WDFW. Additionally, this bullet should outline the need for funding of this monitoring and adaptive management plan, as was done in *Section E, bullet 5*. The monitoring strategy should include monitoring at the subbasin scale, as well as broader geographic (e.g., strata) scales. This would better align with WDFW’s identified need to have a program that “considers information aggregated among multiple hatchery programs in a region”. Specifically, WDFW recommended “that a more explicit, quantitative cumulative assessment of all hatchery programs within a geographic region is warranted”. A full description of this monitoring and adaptive management plan should be provided in the HGMP for each hatchery. WDFW noted that HGMPs “provide detailed descriptions of hatchery operations, in most cases, they lack clearly articulated monitoring and evaluation plans for understanding and controlling hatchery risks”. Including the monitoring and adaptive management plan in the HGMPs would provide a permanent record to support implementation of these plans.

Similar to our comments above, we recommend including an element in the Adaptive Management process that calls for engaging with regional recovery organizations. Both WDFW and WSAS highlighted a lack of connection between hatchery program management and habitat capacity and recovery plans. WDFW specifically stated that “directly linking hatchery management to habitat capacity and habitat recovery plans remains a major challenge”. Including a recovery organization engagement process would help address this issue. Additionally, connecting the program size to the carrying capacity would take a large step forward in addressing WDFW’s concern.

***LCFRB Conclusions***

The Recovery Plan acknowledges the need to maintain viable commercial, recreational and Tribal fisheries in the Lower Columbia, and the role of hatcheries in maintaining those fisheries. The Recovery Plan recognizes that:

- Conservation hatchery programs can contribute to recovery through the preservation, reintroduction, and supplementation of naturally-spawning populations;
- Hatcheries can provide harvest opportunities consistent with measures to restore and maintain healthy, harvestable naturally-spawning populations;
- Some hatchery programs have legal obligations to provide fish for mitigation purposes and those obligations will likely be offset to varying degrees by increases in natural production; and,
- Conservation and harvest benefits from hatchery programs can be realized with acceptable risks to naturally-spawning populations through effective integrated or segregated hatchery programs.

The Recovery Plan also acknowledges that achieving these purposes requires that we ensure hatchery and fishery programs avoid and reduce risks to natural original populations, support achievement of region-wide recovery goals, and minimize adverse ecosystem effects and ecological interactions. Development of the CSF Plan was intended to provide clarity on how WDFW will achieve both hatchery production and recovery goals, in a transparent and objective manner that is guided by best available science. We are concerned that the proposed policy update represents a shift away from the recovery focus of the original policy, and are uncertain what this may mean with regard to WDFW's commitment to implement its Recovery Plan actions in the Lower Columbia Region. We are also not seeing clarity on what tools, approaches or standards will be applied to objectively guide and evaluate hatchery management decisions that will affect recovery. We ask that the Commission carefully consider these concerns, and work proactively to address them as this process moves forward.

**From:** [123ContactForm](#)  
**To:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** Contact the Policy Review Workgroup  
**Date:** Tuesday, June 9, 2020 1:35:30 PM

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| <b>Name</b>     | Kent Martin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Email</b>    | i7846martin@gmail.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Address</b>  | Skamokawa WA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Comments</b> | <p>Columbia River Policy Comment, Kent Martin, June 10, 2020. P.O. Box 83, Skamokawa, WA 98647. 360-795-3920; i7846martin@gmail.com</p> <p>Committee Members:</p> <p>What continues to be ignored in the recreational media regarding the proposed changes to Policy C-3620 is the fact that most if not all of the predicted outcomes have not been realized. These include:</p> <ol style="list-style-type: none"><li>1. No new select areas have been developed.</li><li>2. The small percentages of impacts assigned to the commercial fishery, 20%, have often not been sufficient to have an uninterrupted prosecution of existing select area fisheries.</li><li>3. Production increases promised for loss of mainstem fisheries are substantially behind in Oregon and insignificant or non-existent in Washington.</li><li>4. Hatchery surpluses, already substantial, are on the increase.</li><li>5. pHOS is on the increase. There are serious questions regarding unintended consequences of the tributary-based weirs.</li></ol> <p>The “non-selective” evils of gillnets were supposed to be remedied by alternative harvest technologies for the mainstem Columbia. After several years of alternative harvest technology experiments, what has emerged is a “bait and switch” operation. There is over a million dollars in alternative gears residing unused in lower Columbia warehouses. As the Staff Review noted, some of our fishermen invested a lot of their own money in these technologies, which they have not recouped. To date neither state has set harvest goals for alternative gears, after 7 years of trying to make Policy C-3620 work. Show us the fish!</p> <p>The Policy makes no provision for the ever-larger surpluses that will accrue if you increase production for Orcas or any other reason. It is ironic that the extensive monitoring of the mainstem gillnet fishery has shown that the evils attributed to “non-selective” gillnets are in the realm of outdoor fiction. It is even more ironic that the recreational fishery is billing itself as selective. If that is the case, why would they need 80% of the critical stock mortalities to access their fish? Current</p> |

recreational catch and release mortalities are derived from a 25-year-old study done on the Willamette that desperately needs to be updated with a focus on the lower mainstem Columbia. Governors Kitzhaber and Gregoire both asked for such a study at the start of this Policy, but it has not been done.

Given budgetary restraints, the least that should be done is a literature review of recreational mortality rate studies. There are studies available from California to Alaska which should be examined to update the Department's management practices

### **Attachment**

The message has been sent from 98.158.1.244 (United States) at 2020-06-09 16:35:26 on Chrome 83.0.4103.97  
Entry ID: 142

**From:** [123ContactForm](#)  
**To:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** Contact the Policy Review Workgroup  
**Date:** Tuesday, June 9, 2020 9:29:36 AM  
**Attachments:** [Columbia River Policy comment June 10, 2020.docx](#)

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|                   |                                                                                                                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name</b>       | Irene Martin                                                                                                                                                                              |
| <b>Email</b>      | i7846martin@gmail.com                                                                                                                                                                     |
| <b>Address</b>    | Skamokawa WA 98647                                                                                                                                                                        |
| <b>Comments</b>   | Please see attachment document for my comments.                                                                                                                                           |
| <b>Attachment</b> | <a href="https://www.123formbuilder.com/upload_dld.php?fileid=94eaf1838681165e7ec8378e1a819c35">https://www.123formbuilder.com/upload_dld.php?fileid=94eaf1838681165e7ec8378e1a819c35</a> |

The message has been sent from 98.158.1.244 (United States) at 2020-06-09 12:29:30 on Chrome 83.0.4103.97  
Entry ID: 141



**Columbia River Policy comment**, June 10, 2020. By Irene Martin, P.O. Box 83, Skamokawa, WA 98647, 360-795-920; [i7846martin@gmail.com](mailto:i7846martin@gmail.com)

To some extent Policy C3620 was brought into being with some magical thinking, that somehow we could find the perfect alternative gear, that would take exactly the fish we wanted it to, not capture any other fish, or, best alternative, all un-desired fish would be released with zero mortalities, pHOS rates would go down, wild fish would thrive, etc. We have been looking for the silver bullet, which has not only included alternative gear, but also strategies such as weirs in creeks to reduce pHOS.

Unfortunately, not only has alternative gear not proven to be the panacea once anticipated, problems are also emerging with weirs. A study done by WDFW in Dec. 2019, Evaluation of Adult Fish Weirs Used to Control the Proportion of Hatchery-Origin Fall Chinook Salmon in Six Washington Lower Columbia River Tributaries, 2013-2017, contains the following findings. "Weir efficiencies were highly variable depending on the site and year... In terms of managing pHOS, the Kalama River Weir had the greatest success, reducing pHOS by 35-48% during its 3-year evaluation. All other locations had significantly less impact on pHOS." There were also several unintended consequences of weir operations," including a downstream shift in the spatial distribution of fall Chinook salmon spawners, lower apparent residence time of spawners above weirs, and clustering of spawning in areas below weirs all of which likely result from weirs impeding migration."

The takeaways appear to be, that weirs have, so far, less than a 50% success rate. PHOS targets are still not being met. And, citing the Executive Summary's last sentence, "it is imperative to better measure and understand the population dynamic effects of weir-induced migration delays in order to determine whether weirs are able to act as a net benefit to naturally spawning populations through pHOS reduction, or instead act as a net harm to wild populations through reduced population productivity due to migration delay and redistribution of spawners."

I turn now to the proposed 70/30 split envisaged in the Policy review. I take it to mean that if the recreational fishery gains a 70% share of the resource, it is also responsible for 70% of the conservation burden. In order to properly assess how to do that, studies regarding recreational mortalities must be done. They have been done for the commercial fishery but not the recreational fishery. The Commission would be taking a big risk in providing a 70% allocation to a fishery whose mortality rates have not been studied. Both Governor Kitzhaber and Gov. Gregoire requested that such studies be done in their letters of support for the original Policy. Neither Oregon nor Washington has done them.

I am proposing that Washington take the lead in securing the mortality data needed to properly operate these fisheries by doing the following.

1. Initiate a literature review of hooking mortality studies along the entire west coast. There are numerous studies and research endeavors from California to Alaska that could provide a foundation for determining hooking mortalities for different species under different conditions, e.g. salt water, fresh water, mainstem, tributaries. I'd suggest looking for ranges of mortalities in those different spatial areas. I'd also suggest looking at the various study parameters and methodologies, to enable the Department to select appropriate methodological means for a Columbia River study.

2. With a catalog of different research methods listed in the literature review, the Department would then be in a position to choose from a suite of options regarding what research method would be best suited to local conditions.
3. Based on findings from the literature review and analysis of potential research models and goals, the Department would then be in a position to seek funding for a study that would enable it to more successfully manage these fisheries.

In both the weir situation and the recreational mortality rates issue, scientific research is needed. And you don't always get what you hoped for when the research is done. Some things do not turn out the way one thought, known also as the law of unintended consequences. Policy C3620 is a perfect example of things not turning out the way people thought they would. I believe that is due to the lack of data, research, and a factual basis for much of the policy. Going forward, I would like to see Columbia River policies and management strategies that are data-driven. Continued research on weirs and a recreational mortality study should be top research priorities.

**From:** [123ContactForm](#)  
**To:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** Contact the Policy Review Workgroup  
**Date:** Tuesday, June 9, 2020 8:55:44 PM  
**Attachments:** [Rec-Comm Impact Sharing Below Bonneville, 2010-2019.xlsx](#)

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|                   |                                                                                                                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name</b>       | Robert Sudar                                                                                                                                                                              |
| <b>Email</b>      | fallcreek734@gmail.com                                                                                                                                                                    |
| <b>Address</b>    | Longview WA                                                                                                                                                                               |
| <b>Comments</b>   | Attached is the second part of my testimony. Thank you.                                                                                                                                   |
| <b>Attachment</b> | <a href="https://www.123formbuilder.com/upload_dld.php?fileid=25751878a0010fe8a31dd1fa3babcfbe">https://www.123formbuilder.com/upload_dld.php?fileid=25751878a0010fe8a31dd1fa3babcfbe</a> |

The message has been sent from 97.120.194.122 (United States) at 2020-06-09 23:55:41 on Chrome 83.0.4103.61  
Entry ID: 144

**From:** [123ContactForm](#)  
**To:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** Contact the Policy Review Workgroup  
**Date:** Tuesday, June 9, 2020 8:53:52 PM  
**Attachments:** [2020-6-9 Comments on June 10th version of CR Policy.docx](#)

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|                   |                                                                                                                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name</b>       | Robert Sudar                                                                                                                                                                              |
| <b>Email</b>      | fallcreek734@gmail.com                                                                                                                                                                    |
| <b>Address</b>    | 734 Fall Creek Road Longview, WA 98632                                                                                                                                                    |
| <b>Comments</b>   | Testimony contained on two attachments but it appears I will have to send them separately. Below is the text.                                                                             |
| <b>Attachment</b> | <a href="https://www.123formbuilder.com/upload_dld.php?fileid=7794fbdc06c65734aec2cec6ec98edaf">https://www.123formbuilder.com/upload_dld.php?fileid=7794fbdc06c65734aec2cec6ec98edaf</a> |

The message has been sent from 97.120.194.122 (United States) at 2020-06-09 23:53:48 on Chrome 83.0.4103.61  
Entry ID: 143

June 9, 2020

To: Washington Fish & Wildlife Policy Review Committee

From: Robert Sudar, Columbia River Commercial Advisor

Re: Comments on current version of revised Columbia River Policy

Commissioners:

Many of the comments I made in regards to the May 27<sup>th</sup> version of this revised Policy still apply, such as disagreeing that input from recreational representatives should be part of alternative gear development or any license buyback programs. Just as we would not expect to have a voice in decisions regarding their fisheries, such as logbooks for fishing guides or the use of barbless hooks, they should have no role in programs specific to our industry.

On the subject of alternative gears, I still object to the suggestion that continued research will eventually find a better gear for the Columbia River than gillnets. It's a possibility, but so far there is no evidence, after 10 years of research, that a gear that matches the harvest expectations, the necessary selectivity, and the economic needs of a viable commercial fishery. If the Department wants to continue the research then that is all well-and-good, but the bottom line is that the Commission needs to face the possibility that one may not be found. In conjunction with that, the Department needs to be making a better assessment of the current gillnet and tanglenet fishery and the abundant data available to accurately inform the public about what the fleet catches, how it utilizes impacts, how many hatchery fish it harvests (particularly in comparison to the recreational fishery, which is getting the lion's share of the impacts) and how the gillnet fishery fits the economic needs of the region and its residents. The assumption since this Policy was first developed is that gillnets are non-selective and contribute nothing to recovery. In the last eight years, the data clearly does not support that belief. It's time the Department worked with the industry to properly describe the existing fishery and how it contributes to the long-term goals of the managers.

I support using a harvest matrix for spring and summer, based on run size. I am opposed to expanding the commercial share in large spring returns to 35% of the impacts and then taking 2.5% back for anglers in the Snake River regions. In large runs, with a catch balance buffer in place for fisheries below Bonneville, the recreational fishery has never been able to harvest all of its allocation. There would be ample unused impacts to allocate another 2.5% of the impacts to the Snake without reducing the commercial fishery. Along those lines, if either fishery below Bonneville can't utilize its impacts, making a portion of them available to the other fishery should be a valid option for in-season managers.

I support a commercial harvest for spring Chinook both before and after the run update, as dictated by salmon returns. I also support making gillnets, tanglenets and other alternative gears legal in all seasons and letting the managers decide when they are a good fit, depending on available impacts, run size and the mix of fish in the River.

Finally, I don't think that a 70/30 share of Chinook impacts in the fall provides adequate economic and harvest opportunity for the commercial fishery because the results in prior seasons show that the commercial sector never reaches the current allocations so there is no reason to suspect the 30% share would ever be achieved, either. Because of the nature of fall seasons, with an early season front-loaded

for recreational harvest and a large portion of the potential commercial share dependent on a positive run update in mid-September, there is no evidence that a 30% share will be achieved. A 65/35 share for fall Chinook would be a more realistic plan, knowing that the managers will be hard-pressed to provide even 30% to the commercial fleet. The shares in the plan should be achievable, not wishful thinking, and if the modeling suggests that 30% is the minimum of what the commercial fleet needs for economic stability then the goal in pre-season planning should be higher. I feel that 65/35 would provide that. I have attached a table to this report, obtained from Oregon staff, that shows the actual sharing of impacts, catch balance shares and fish, over the last ten years which illustrates my point.

I won't go into all of the aspects of the Policy that have not been achieved – those have been documented before, both by me and by others. It might be easier to ask "what has been achieved?", and that list is short and easy to describe. Commercial seasons have been severely constricted, and even eliminated in several timeframes, and allocation shares have been shifted dramatically in favor of recreational fisheries. No matter what changes take place in this Policy, most of those lost commercial allocations will not be regained.

Finally, I want to thank the Commission for continuing this review process and working toward a better Policy which would come closer to providing a viable fishery for the commercial salmon fishermen of the lower Columbia. The Policy called for Adaptive Management if goals were not being met, and all of the Commissioners who voted for it voiced the importance of that "backstop". That is what this process is about.

Robert Sudar, Longview

|             | Upriver Spring Chinook 1 |       |        |       |            |       |       |       | Upper Columbia Summer Chinook 2 |       |               |       | LCR Tule Fall Chinook |       |            |       | SRW Fall Chinook 3 |       |            |       |
|-------------|--------------------------|-------|--------|-------|------------|-------|-------|-------|---------------------------------|-------|---------------|-------|-----------------------|-------|------------|-------|--------------------|-------|------------|-------|
|             | Sport                    |       |        |       | Commercial |       |       |       | Sport                           |       | Commercial    |       | Sport                 |       | Commercial |       | Sport              |       | Commercial |       |
|             | Impacts                  | Share | CB 2   | Share | Impacts    | Share | CB 2  | Share | Mortalities 2                   | Share | Mortalities 2 | Share | Impacts               | Share | Impacts    | Share | Impacts            | Share | Impacts    | Share |
| 2010        | 1.08%                    | 55%   | 28,859 | 76%   | 0.88%      | 45%   | 9,077 | 24%   | 6,104                           | 56%   | 4,740         | 44%   | 3.51%                 | 57%   | 2.65%      | 43%   | 3.96%              | 48%   | 4.17%      | 51%   |
| 2011        | 0.82%                    | 54%   | 13,842 | 78%   | 0.70%      | 46%   | 3,816 | 22%   | 11,510                          | 70%   | 5,039         | 30%   | 4.90%                 | 49%   | 5.18%      | 51%   | 6.77%              | 45%   | 6.89%      | 46%   |
| 2012        | 0.87%                    | 62%   | 13,691 | 75%   | 0.53%      | 38%   | 4,605 | 25%   | 7,557                           | 82%   | 1,693         | 18%   | 7.34%                 | 71%   | 2.96%      | 29%   | 8.20%              | 55%   | 5.86%      | 39%   |
| 2013        | 0.76%                    | 54%   | 6,330  | 78%   | 0.64%      | 46%   | 1,757 | 22%   | 5,281                           | 73%   | 1,965         | 27%   | 6.47%                 | 70%   | 2.81%      | 30%   | 4.49%              | 30%   | 6.10%      | 41%   |
| 2014        | 1.04%                    | 63%   | 17,349 | 83%   | 0.62%      | 37%   | 3,621 | 17%   | 5,713                           | 67%   | 2,790         | 33%   | 5.80%                 | 79%   | 1.55%      | 21%   | 4.44%              | 30%   | 7.79%      | 52%   |
| 2015        | 0.89%                    | 46%   | 19,381 | 75%   | 1.02%      | 54%   | 6,528 | 25%   | 11,760                          | 74%   | 4,043         | 26%   | 4.51%                 | 61%   | 2.94%      | 39%   | 6.47%              | 43%   | 4.74%      | 32%   |
| 2016        | 0.94%                    | 55%   | 13,043 | 80%   | 0.76%      | 45%   | 3,285 | 20%   | 8,484                           | 74%   | 3,050         | 26%   | 5.14%                 | 49%   | 5.29%      | 51%   | 6.48%              | 43%   | 8.14%      | 54%   |
| 2017        | 1.00%                    | 71%   | 7,316  | 94%   | 0.40%      | 29%   | 463   | 6%    | 8,441                           | 99%   | 47            | 1%    | 6.62%                 | 86%   | 1.10%      | 14%   | 11.69%             | 73%   | 4.26%      | 27%   |
| 2018        | 0.94%                    | 78%   | 7,263  | 96%   | 0.27%      | 22%   | 311   | 4%    | 4,658                           | 99%   | 24            | 1%    | 6.70%                 | 76%   | 2.17%      | 24%   | 7.11%              | 76%   | 2.24%      | 24%   |
| 2019        | 0.48%                    | 63%   | 2,108  | 91%   | 0.28%      | 37%   | 203   | 9%    | 80                              | 85%   | 14            | 15%   | 8.19%                 | 83%   | 1.66%      | 17%   | 5.57%              | 68%   | 1.80%      | 22%   |
| 2010-12 Avg | 0.92%                    | 57%   | 18,797 | 76%   | 0.70%      | 43%   | 5,833 | 24%   | 8,390                           | 69%   | 3,824         | 31%   | 5.25%                 | 59%   | 3.60%      | 41%   | 6.31%              | 49%   | 5.64%      | 45%   |
| 2013-19 Avg | 0.86%                    | 62%   | 10,399 | 85%   | 0.57%      | 38%   | 2,310 | 15%   | 7,390                           | 82%   | 1,987         | 18%   | 6.20%                 | 72%   | 2.50%      | 28%   | 6.61%              | 52%   | 5.01%      | 36%   |

1 Treaty/non-Treaty catch balance guidelines for upriver spring Chinook mortalities were first implemented in 2010. In ensuing spring Chinook seasons, sport fisheries have been primarily limited by catch balance, while commercial fisheries have been primarily limited by ESA impacts. Mainstem commercial:

2 Includes release mortalities in mark-selective fisheries.

3 Impact shares are of the total allowed for non-treaty fisheries, or if the total used impacts exceed the total allowed, shares are of the total used.

**From:** [123ContactForm](#)  
**To:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** Contact the Policy Review Workgroup  
**Date:** Wednesday, June 10, 2020 4:17:18 AM

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|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name</b>     | Irene Martin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Email</b>    | i784martin@gmail.com                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Address</b>  | Skamokawa WA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Comments</b> | <p>Addendum to Testimony submitted by Irene Martin regarding Policy C-3620. Submitted June 20, 2020. P.O. Box 83, Skamokawa, WA 98647. 360-795-3920. i7846martin@gmail.com.</p> <p>I have just had the opportunity to look at comments sent to the Commission by the Lower Columbia Fish Recovery Board regarding Policy C-3620. I've only had a chance to take a cursory look at the track changes, but several issues should be noted. The Lower Columbia Fish Recovery Plan is 10 years old. It has existed alongside Policy C-3620 for 8 years, a Policy which virtually eliminated the gillnet fleet's role in reducing pHOS, which in turn has affected salmon recovery, though no one has actually analyzed that issue. The inriver fleet had a role to play in recovery and has not been allowed to do so, due to Policy C-3620 restrictions and re-allocation to a recreational fishery.</p> <p>The Recovery Plan also did not look at predation, and the dilution factor of hatchery stocks with wild stocks. With hatchery production reduced significantly, predation is occurring more on wild stocks, both by birds and marine mammals, including Orcas. This increased rate of predation on wild stocks is an unforeseen consequence of reduction of hatchery production. The Plan also did not address Orcas or any other marine mammal issues that I am aware of. For these reasons, there were deficiencies in both the Recovery Plan and Harvest Policy C3620, which have contributed to problems with recovery. We are now fixing the Policy, based on a scientific analysis of its components, which should also help with recovery efforts. The pHOS issue could possibly be resolved to a great extent with robust in-river commercial fisheries. However, robust commercial fisheries will need increased hatchery production, which would also serve to reduce predator focus on wild fish. Perhaps the Recovery Plan needs revision in this regard, as well as the Policy. A rebalancing of hatchery/natural spawn production based on more recent circumstances such as increased predation might be in order.</p> |



On p. 7, #2 of the Lower Columbia Fish Recovery Board comments, I note that the phrase "of perpetuating a magnitude of abundance more consistent with historic abundance..." has been struck and the phrase "in a manner consistent with the recovery or ESA listed natural origin populations." inserted instead. I don't see that it's either/or. Yes, we want natural origin populations, but given the permanent spawning and rearing habitat loss in the mainstem, recovering natural origin fish in that locale is not possible. That is what the Mitchell Act and the development of hatcheries was designed to mitigate. The Recovery Plan is basically about tributaries, but replacing what was lost in the mainstem cannot be accomplished simply by tributary recovery. For that you need hatcheries. It is astonishing how few people actually know that salmon spawned in the mainstem in huge numbers. My suggestion is to restate the sentence as: "The Department shall work towards the general goal to increase hatchery and natural production salmon and steelhead in the Columbia River Basin, in a manner consistent with the recovery of ESA listed natural origin populations and for the purpose of perpetuating a magnitude of historic abundance more consistent with mainstem production prior to hydro-electric development of the river." I don't think these two phrases are mutually exclusive

#### **Attachment**

The message has been sent from 98.158.1.244 (United States) at 2020-06-10 07:17:15 on Chrome 83.0.4103.97  
Entry ID: 145

Begin forwarded message:

**From:** "Kloepfer, Nichole D (DFW)" <[Nichole.Kloepfer@dfw.wa.gov](mailto:Nichole.Kloepfer@dfw.wa.gov)>  
**Subject:** FW: CR gillnets and buyback  
**Date:** June 10, 2020 at 11:21:29 AM PDT  
**To:** Donald McIsaac <[donald.mcisaac@dma-consulting.net](mailto:donald.mcisaac@dma-consulting.net)>, Dave Graybill <[fishboy@nwi.net](mailto:fishboy@nwi.net)>, Bob Kehoe <[rfk@psvoa.org](mailto:rfk@psvoa.org)>  
**Cc:** "Tweit, William M (DFW)" <[William.Tweit@dfw.wa.gov](mailto:William.Tweit@dfw.wa.gov)>, "Lothrop, Ryan L (DFW)" <[Ryan.Lothrop@dfw.wa.gov](mailto:Ryan.Lothrop@dfw.wa.gov)>

See below. Thank you!

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**From:** Heath Heikkila <[heath@cascaedpublicaffairs.com](mailto:heath@cascaedpublicaffairs.com)>  
**Sent:** Wednesday, June 10, 2020 11:20 AM  
**To:** Kloepfer, Nichole D (DFW) <[Nichole.Kloepfer@dfw.wa.gov](mailto:Nichole.Kloepfer@dfw.wa.gov)>  
**Subject:** FW: CR gillnets and buyback

Nikki –

I committed to share this Bill Tweit email from March 2019 with the Workgroup.

Thanks,

Heath

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**From:** Tweit, William M (DFW) <[William.Tweit@dfw.wa.gov](mailto:William.Tweit@dfw.wa.gov)>  
**Sent:** Friday, March 29, 2019 11:37 AM

**To:** Falkenburg, Nelson (DFW) <[Nelson.Falkenburg@dfw.wa.gov](mailto:Nelson.Falkenburg@dfw.wa.gov)>; Austin, JT (GOV) <[jt.austin@gov.wa.gov](mailto:jt.austin@gov.wa.gov)>  
**Cc:** Susewind, Kelly (DFW) <[Kelly.Susewind@dfw.wa.gov](mailto:Kelly.Susewind@dfw.wa.gov)>; Warren, Ron R (DFW) <[Ron.Warren@dfw.wa.gov](mailto:Ron.Warren@dfw.wa.gov)>; Adicks, Kyle K (DFW) <[Vincent.Adicks@dfw.wa.gov](mailto:Vincent.Adicks@dfw.wa.gov)>; Cunningham, Kelly J (DFW) <[Kelly.Cunningham@dfw.wa.gov](mailto:Kelly.Cunningham@dfw.wa.gov)>; Lothrop, Ryan L (DFW) <[Ryan.Lothrop@dfw.wa.gov](mailto:Ryan.Lothrop@dfw.wa.gov)>; Crosier, Raquel D (DFW) <[Raquel.Crosier@dfw.wa.gov](mailto:Raquel.Crosier@dfw.wa.gov)>  
**Subject:** RE: CR gillnets and buyback

JT,

In addition to the material that Nelson provided, I'll take a shot at answering your third question. The Commission considered the question about the long-term prospects for the lower Columbia River non-Indian commercial fishery when they adopted Policy C3620, and determined that there is a long-term role for that fishery, both from the perspective of our mission statement and legislative mandate, and for management of hatchery fish in support of recovery objectives for listed salmon returning to lower Columbia tributaries. I'll elaborate on the latter, as that is largely a technical issue. The large scale hatchery production of lower Columbia chinook provides the backbone of the ocean salmon fisheries (recreational and commercial) that is a key component of coastal economies. That same production has also been identified as a primary impediment to recovery of ESA listed chinook salmon from tributaries below Bonneville Dam. We can manage the risk that hatchery salmon pose to the listed wild salmon in one of two ways: reduce hatchery production substantially or develop capabilities for removing a high percentage of hatchery fish before they have an opportunity to intermingle with wild fish on the spawning grounds. We are doing some of both: reduced hatchery production which has impacted coastal economies (I'm sure you've heard Butch Smith and Phil Anderson talk about this concern) and improving our ability to remove hatchery fish using selective recreational and commercial fisheries and weirs. We can't depend on either weirs or recreational fisheries to accomplish the necessary level of removals consistently. Weirs are prone to failure when fall rains come, rivers rise and lots of vegetation gets washed downstream. Recreational fisheries lose effectiveness when abundance drops and when fish stop biting as they near their spawning areas. Therefore, commercial fisheries using alternative gears, which are capable of effectively removing hatchery fish at high rates, are necessary to implement this strategy.

Policy C3620 was built to achieve this, and the recent 5 year review did not identify any flaws with the basic architecture. Instead, the 5 year review identified flaws with implementation issues. We were not able to meet the timeline assumed in the policy for various reasons that are identified in the review. Which is why the Commission chose to prolong the period of time that gillnets can be used, to bring alternative gear development back into alignment with transitioning some or all of the mainstem commercial fishery away from gillnets.

I hope this is the type of information you were seeking with your third question. Please

let me know if I've missed the mark.

Bill

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**From:** Falkenburg, Nelson (DFW) <[Nelson.Falkenburg@dfw.wa.gov](mailto:Nelson.Falkenburg@dfw.wa.gov)>  
**Sent:** Friday, March 29, 2019 9:53 AM  
**To:** Austin, JT (GOV) <[jt.austin@gov.wa.gov](mailto:jt.austin@gov.wa.gov)>  
**Cc:** Susewind, Kelly (DFW) <[Kelly.Susewind@dfw.wa.gov](mailto:Kelly.Susewind@dfw.wa.gov)>; Warren, Ron R (DFW) <[Ron.Warren@dfw.wa.gov](mailto:Ron.Warren@dfw.wa.gov)>; Adicks, Kyle K (DFW) <[Vincent.Adicks@dfw.wa.gov](mailto:Vincent.Adicks@dfw.wa.gov)>; Cunningham, Kelly J (DFW) <[Kelly.Cunningham@dfw.wa.gov](mailto:Kelly.Cunningham@dfw.wa.gov)>; Tweit, William M (DFW) <[William.Tweit@dfw.wa.gov](mailto:William.Tweit@dfw.wa.gov)>; Lothrop, Ryan L (DFW) <[Ryan.Lothrop@dfw.wa.gov](mailto:Ryan.Lothrop@dfw.wa.gov)>; Crosier, Raquel D (DFW) <[Raquel.Crosier@dfw.wa.gov](mailto:Raquel.Crosier@dfw.wa.gov)>  
**Subject:** RE: CR gillnets and buyback

Good morning JT,

Attached are a few documents. The statement is the Director's explanation of the Commission's decision and provides a high-level overview. The By-The-Numbers is a streamlined summary of the larger excel spreadsheet, focused only on gillnet fishing in the Columbia. The spreadsheet includes tribal and non-tribal commercial harvest data across the state. The map shows the SAFE areas in OR and WA, demonstrating the lack of development of SAFE area fisheries on the Columbia River - one of the tenants of the policy - due to geographical challenges.

I don't know much about the history of buy back, so hopefully someone from Fish Program can weigh in on that piece.

The executive summary of the policy: <https://wdfw.wa.gov/publications/02029> has very good information that provides more detail.

I'll keep working to answer your specific questions – they're pretty big ones! But hopefully this is a useful start.

Thank you,

Nelson Falkenburg  
Legislative Coordinator  
Policy and Public Affairs, Director's Office  
Mobile: (360)810-0379  
Office: (360)902-2449  
[Nelson.falkenburg@dfw.wa.gov](mailto:Nelson.falkenburg@dfw.wa.gov)



-----Original Message-----

From: Austin, JT (GOV) <[jt.austin@gov.wa.gov](mailto:jt.austin@gov.wa.gov)>

Sent: Friday, March 29, 2019 8:38 AM

To: Crosier, Raquel D (DFW) <[Raquel.Crosier@dfw.wa.gov](mailto:Raquel.Crosier@dfw.wa.gov)>

Cc: Falkenburg, Nelson (DFW) <[Nelson.Falkenburg@dfw.wa.gov](mailto:Nelson.Falkenburg@dfw.wa.gov)>; Susewind, Kelly (DFW) <[Kelly.Susewind@dfw.wa.gov](mailto:Kelly.Susewind@dfw.wa.gov)>; Warren, Ron R (DFW)

<[Ron.Warren@dfw.wa.gov](mailto:Ron.Warren@dfw.wa.gov)>; Adicks, Kyle K (DFW) <[Vincent.Adicks@dfw.wa.gov](mailto:Vincent.Adicks@dfw.wa.gov)>

Subject: CR gillnets and buyback

Raquel,

I know the fish program is incredibly short on time and resources but I need to put a memo together ASAP. Ugh- sorry.

Please provide as much info as you can on:

- \* bycatch for gillnets and other equipment
- \* the history and prognosis for a buyback program
- \* whether non-tribal commercial harvest should just end

Thank you. Bad timing but necessary.

Happy Friday, JT

**From:** [Commission \(DFW\)](#)  
**To:** [Barbara Baker](#); [Bob Kehoe](#); [Brad Smith](#); [Dave Graybill](#); [Donald McIsaac](#); [Anderson, James R \(DFW\)](#); [Larry Carpenter](#); [McBride, Tom A \(DFW\)](#); [Linville, Molly F \(DFW\)](#); [Thorburn, Kim M \(DFW\)](#)  
**Cc:** [Dobler, Myrtice C \(DFW\)](#)  
**Subject:** FW: Columbia River Non-tribal gill net situatio  
**Date:** Wednesday, June 10, 2020 2:06:58 PM

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**From:** Don Greer <dg3381@gmail.com>  
**Sent:** Wednesday, June 10, 2020 2:00 PM  
**To:** Commission (DFW) <COMMISSION@dfw.wa.gov>  
**Subject:** Columbia River Non-tribal gill net situatio

Dear Commissioners,

I am a 72 year old "Ex" fisherman having lived in Oregon almost entirely my entire life. I have fished the Columbia river for years and have watched as our salmon runs continue to decline. We have so many issues concerning the reasoning for this, ie., sea lions, Canadian netting off our Pacific Coast, Foreign gillnetting in our Oceans, and Gillnetting.

I absolutely encourage you to STOP the lower Columbia River gillnetting for good. Recently, on one of our most decimated returns in years, the ODFW was making a decision to go ahead and put them on our river, right on top of this horrendous return of fish. Of course, Sportsman were the first to feel the hammer, as always.

I beg of you, to STOP this Commercial infringement on these stocks of fish.

If you do nothing to stop this, my fear is that we will indeed lose our runs of salmon forever. Thankyou.

Sincerely,  
Donald Greer

