



Columbia River Salmon Fishery Policy Workgroup (CRW)

Public Comments received between August 19, 2020 through August 30, 2020

This is a compilation of comments received at through our online public comment portal after the Joint-State PRC was put on hold.

From: [Commission \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: Buyback of Columbia River commercial gillnet licenses
Date: Wednesday, August 19, 2020 10:51:20 AM
Attachments: [2020 08-19 Buyback Ltr.pdf](#)

From: Nello Picinich <nello.picinich@ccawashington.org>
Sent: Wednesday, August 19, 2020 10:34 AM
To: Commission (DFW) <COMMISSION@dfw.wa.gov>; Susewind, Kelly (DFW) <Kelly.Susewind@dfw.wa.gov>
Subject: Buyback of Columbia River commercial gillnet licenses

Chair Carpenter and Director Susewind,

Please see the attached letter from CCA Washington.

Thank you,

Nello Picinich, Executive Director
CCA Washington
(360) 694-4300



DONATE NOW



Coastal Conservation Association

TEXAS • LOUISIANA • MISSISSIPPI • ALABAMA • FLORIDA • GEORGIA
SOUTH CAROLINA • NORTH CAROLINA • VIRGINIA • MARYLAND • NEW YORK • CONNECTICUT
MASSACHUSETTS • NEW HAMPSHIRE • MAINE • OREGON • WASHINGTON • CALIFORNIA

August 19, 2020

SENT VIA E-MAIL

Dear Chair Carpenter and Director Susewind,

We appreciated hearing an update at the recent Commission meeting about WDFW's efforts to plan a buyback of Columbia River commercial gillnet licenses. While we were disappointed that Governor Inslee chose to veto that provision in the 2019-2021 supplemental operating budget, we remain encouraged that WDFW still considers it an important priority.

A buyback was a critical action item of the Columbia River fishery reform policy (C-3620), which was adopted in 2013 and was intended to completely transition gillnets out of the mainstem Columbia River. It is also worth noting that in 1995, the National Marine Fisheries Service Recovery Plan for Snake River Salmon included an important recovery task to "eliminate non-treaty gillnet fishing in the mainstem Columbia River."

We agree with this important recovery action item. For us to support a buyback program, we would ask that WDFW clearly articulate that a buyback is tied to mitigating for recent restrictions on mainstem gillnetting with the goal of completely removing non-treaty gillnets from the mainstem Columbia River. This has been our position from day one, including recent communications with senior staff. We also believe this was the reason a buyback was included in the 2013 bi-state Columbia River reforms. We do not believe it is in the public's best interest to fund a program with a goal of reducing the size of the fleet so a select few fishers can become more profitable while advocating for increased mainstem gillnetting. Further, we feel that a fleet reduction program like that would be difficult to pass in the legislature.

During the last legislative session, we worked with WDFW and legislative sponsors to finalize language in the supplemental operating budget regarding a buyback program. In order to achieve maximum support in what is expected to be a very challenging legislative session, we believe a similar coalition approach will be necessary. We look forward to continued discussions as we prepare for, and work through, the upcoming legislative session.

Thank you again for making a buyback program a priority. We look forward to working together in protecting and preserving fish and sustainable fishing opportunities in the Evergreen State.

Sincerely,

A handwritten signature in black ink that reads "Nello Picinich".

Nello Picinich, Executive Director
CCA Washington

From: [123ContactForm](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: Contact the Policy Review Workgroup
Date: Monday, August 24, 2020 12:46:47 PM
Attachments: [Opposition Letter to Gillnetting on the Columbia River.pdf](#)

Name	Backcountry Hunters and Anglers Vanbianchi
Email	washington@backcountryhunters.org
Address	Twisp Washington
Comments	<p>August 24, 2020 Washington Department Fish & Wildlife PO Box 43200 Olympia, WA 98504-3200</p> <p>RE: Policy C-3620, Gillnets on the Columbia River</p> <p>Dear Washington Department of Fish and Wildlife Commission,</p> <p>My name is Bryce Levin and I serve as a Conservation and Policy Leader with the Washington Chapter of Backcountry Hunters and Anglers (BHA). BHA is a non-profit organization whose mission is to ensure North America\'s outdoor heritage of hunting and fishing in a natural setting, through education and work on behalf of wild public lands and waters.</p> <p>I am writing you on behalf of BHA regarding the recommendation by the WDFW Commission\'s Columbia River Policy Workgroup (CRW) on June 10th, 2020 to allow year-round gillnetting on the lower Columbia River. Policy C-3620, adopted by the Commission in 2013, states that the objective of the of the policy is "to promote orderly fisheries, advance the conservation and recovery of wild salmon and steelhead, and maintain or enhance the economic well-being and stability of the fishing industry in the state." Reintroducing gillnets and tangle nets on the mainstem Columbia River is counterproductive to those objectives.</p> <p>From perspective of recovering wild salmon and steelhead, NOAA\'s National Marine Fisheries Service identifies 28 pacific salmon and steelhead runs in the Snake and Columbia River. Of those 28 stocks identified, 13 are listed as threatened or endangered. WDFW gillnet and tangle net studies on the Columbia have found mortality rates for bycatch to be anywhere from 12% - 33%, which is significantly higher than any other legal method of take. That same study concluded "Substantial reductions in impacts on non-target stocks appear possible through modifications of</p>

traditional fishing gear and methods.” With nearly half of the salmon and steelhead stocks on the Columbia and Snake River listed as threatened or endangered, it is unacceptable to take this step backwards in management and accept mortality rates at this level on these stocks of fish.

Additionally, the increase in take and mortality of listed fish directly reduces recreational fishing opportunities. Anglers in Washington are continuing to see recreational opportunities diminished to reduce or eliminate impacts on ESA listed stocks of fish. If year-round gillnetting is allowed in the lower Columbia River, opportunity will be reduced by 11- 25% compared to the State of Oregon. This is in direct contradiction to the stated objective above of Policy C-3620 and will have a significant impact on the sport fishing economy and the many other business that rely on anglers to drive revenue.

Backcountry Hunters and Anglers opposes this recommendation and asks the CRW continue to work with the state of Oregon to meet the objectives of Policy C-3620 set in 2013. Allowing gillnets back into the mainstem Columbia River for the first time since 2016 is step backwards in the recovery of salmon and steelhead in the Columbia. This recommendation ignores the data and recommendations from numerous studies conducted by NOAA, ODFW and WDFW all concluding that alternative fishing methods would significantly reduce impacts on ESA listed fish.

BHA is asking the CRW to realign themselves with Oregon and continue to work with commercial fisherman to find alternative ways to effectively harvest mark-select salmonids to ensure the long-term viability of these stocks and the sustainable economies that come with healthy wild salmon and steelhead runs.

Sincerely,

Bryce Levin, Conservation and Policy Leader
Washington State Chapter
Backcountry Hunters & Anglers

Carmen Vanbianchi, Co-Chair
Washington State Chapter
Backcountry Hunters & Anglers

[fileid=977b6402e845843918c02e6c801ef91b](#)

The message has been sent from 63.142.207.34 (United States) at 2020-08-24 15:46:43 on
Chrome 84.0.4147.135
Entry ID: 197



BACKCOUNTRY
HUNTERS & ANGLERS
WASHINGTON

August 24, 2020

Washington Department Fish & Wildlife
PO Box 43200
Olympia, WA 98504-3200

RE: Policy C-3620, Gillnets on the Columbia River

Dear Washington Department of Fish and Wildlife Commission,

My name is Bryce Levin and I serve as a Conservation and Policy Leader with the Washington Chapter of Backcountry Hunters and Anglers (BHA). BHA is a non-profit organization whose mission is to ensure North America's outdoor heritage of hunting and fishing in a natural setting, through education and work on behalf of wild public lands and waters.

I am writing you on behalf of BHA regarding the recommendation by the WDFW Commission's Columbia River Policy Workgroup (CRW) on June 10th, 2020 to allow year-round gillnetting on the lower Columbia River. Policy C-3620, adopted by the Commission in 2013, states that the objective of the of the policy is "to promote orderly fisheries, advance the conservation and recovery of wild salmon and steelhead, and maintain or enhance the economic well-being and stability of the fishing industry in the state." Reintroducing gillnets and tangle nets on the mainstem Columbia River is counterproductive to those objectives.

From perspective of recovering wild salmon and steelhead, NOAA's National Marine Fisheries Service identifies 28 pacific salmon and steelhead runs in the Snake and Columbia River. Of those 28 stocks identified, 13 are listed as threatened or endangered. WDFW gillnet and tangle net studies on the Columbia have found mortality rates for bycatch to be anywhere from 12% - 33%, which is significantly higher than any other legal method of take. That same study concluded "Substantial reductions in impacts on non-target stocks appear possible through modifications of traditional fishing gear and methods." With nearly half of the salmon and steelhead stocks on the Columbia and Snake River listed as threatened or endangered, it is unacceptable to take this step backwards in management and accept mortality rates at this level on these stocks of fish.

Additionally, the increase in take and mortality of listed fish directly reduces recreational fishing opportunities. Anglers in Washington are continuing to see recreational opportunities diminished to reduce or eliminate impacts on ESA listed stocks of fish. If year-round gillnetting is allowed in the lower Columbia River, opportunity will be reduced by 11- 25% compared to the State of Oregon. This is in direct contradiction to the stated objective above of Policy C-3620 and will have a



WWW.BACKCOUNTRYHUNTERS.ORG/WASHINGTON_BHA
WASHINGTON@BACKCOUNTRYHUNTERS.ORG

significant impact on the sport fishing economy and the many other business that rely on anglers to drive revenue.

Backcountry Hunters and Anglers opposes this recommendation and asks the CRW continue to work with the state of Oregon to meet the objectives of Policy C-3620 set in 2013. Allowing gillnets back into the mainstem Columbia River for the first time since 2016 is step backwards in the recovery of salmon and steelhead in the Columbia. This recommendation ignores the data and recommendations from numerous studies conducted by NOAA, ODFW and WDFW all concluding that alternative fishing methods would significantly reduce impacts on ESA listed fish.

BHA is asking the CRW to realign themselves with Oregon and continue to work with commercial fisherman to find alternative ways to effectively harvest mark-select salmonids to ensure the long-term viability of these stocks and the sustainable economies that come with healthy wild salmon and steelhead runs.

Sincerely,

Bryce Levin, Conservation and Policy Leader
Washington State Chapter
Backcountry Hunters & Anglers

Carmen Vanbianchi, Co-Chair
Washington State Chapter
Backcountry Hunters & Anglers



WWW.BACKCOUNTRYHUNTERS.ORG/WASHINGTON_BHA
WASHINGTON@BACKCOUNTRYHUNTERS.ORG

From: [Commission \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: Columbia River Basin Salmon Management Policy
Date: Monday, August 24, 2020 10:18:24 AM
Attachments: [WDFW letter 8.24.pdf](#)

From: Lininger, Tami L (DFW) <Tami.Lininger@dfw.wa.gov>
Sent: Monday, August 24, 2020 10:13 AM
To: Commission (DFW) <COMMISSION@dfw.wa.gov>; Warren, Ron R (DFW) <Ron.Warren@dfw.wa.gov>; Lothrop, Ryan L (DFW) <Ryan.Lothrop@dfw.wa.gov>; Tweit, William M (DFW) <William.Tweit@dfw.wa.gov>; Cunningham, Kelly J (DFW) <Kelly.Cunningham@dfw.wa.gov>
Cc: Davidson, Cathy A (DFW) <Cathy.Davidson@dfw.wa.gov>
Subject: FW: Columbia River Basin Salmon Management Policy

FYI

From: Apata, Joshua <Joshua.Apata@leg.wa.gov> **On Behalf Of** Stonier, Rep. Monica Jurado
Sent: Monday, August 24, 2020 10:02 AM
To: Susewind, Kelly (DFW) <Kelly.Susewind@dfw.wa.gov>; Carpenter, Larry M (DFW) <Larry.Carpenter@dfw.wa.gov>
Cc: Hall, Virginia <Virginia.Hall@leg.wa.gov>; Hoff, Larry <Larry.Hoff@leg.wa.gov>
Subject: Columbia River Basin Salmon Management Policy

Good morning Chairman Carpenter and Director Susewind,

Please see the attached letter concerning non-tribal gillnets in the Columbia River.

Thank you for your time,

Monica Jurado Stonier

State Representative, LD 49

Vancouver, Clark County

House Majority Floor Leader

House Education Committee

House Health Care and Wellness Committee

House Capital Budget Committee

House Rules Committee

State of
Washington
House of
Representatives



August 24, 2020

Larry Carpenter, Chairman
Washington Fish and Wildlife Commission
600 Capitol Way N
Olympia, WA 98501
Larry.Carpenter@dfw.wa.gov

Kelly Susewind, Director
Washington Fish and Wildlife Commission
600 Capitol Way N
Olympia, WA 98501
Kelly.Susewind@dfw.wa.gov

RE: Columbia River Basin Salmon Management Policy (C-3620)

Chairman Carpenter and Director Susewind:

We have serious concerns with proposed changes to the Commission's Columbia River Basin Salmon Management Policy (C-3620) that would undo efforts to enhance the conservation and selectivity of Columbia River salmon fisheries under the Oregon-Washington Columbia River reforms. The Commission's recent actions to undermine the bi-state reforms by returning non-tribal gillnets to the mainstem lower Columbia River have been immensely unpopular with our constituents and comes as several salmon and steelhead populations are in steep decline. The actions have also cost the Department critical support from recreational anglers – a stakeholder group that is key to the long-term financial solvency of the Washington Department of Fish and Wildlife (WDFW).

Columbia River basin fisheries require careful, proactive management with 13 species of salmon and steelhead listed under the federal Endangered Species Act (ESA) along with federal requirements dictating the harvest or removal of excess hatchery fish as a condition of continued hatchery operations. These challenges have driven the transition to fishing methods more capable of selectively harvesting hatchery-reared salmon while also providing increased escapement of ESA-listed and weak wild stocks. By design, gillnets are ill-suited for meeting these challenges in the mainstem lower Columbia River's mixed-stock fisheries where wild and ESA-listed salmon and steelhead are intermingled with fin-clipped hatchery-reared salmon.

The Oregon-Washington reforms were designed with this in mind and to resolve decades of conflict and controversy by shifting gillnets out of the mainstem, increasing gillnet harvests in off-channel fishing areas through enhanced hatchery production, and prioritizing mark-selective fishing methods in the mainstem – including recreational fisheries across the Columbia River basin. The plan represents a durable solution that maintains a commercial fishery, focuses on the recovery needs of wild and ESA-listed salmon and steelhead, and provides more predictability and certainty for recreational fisheries across the Columbia River basin – an important objective given the need for selective fisheries and WDFW's reliance on license fees to help relieve budget shortfalls. While the fundamental components of the reforms remain sound, WDFW has not

implemented key aspects of the reforms, including pursuing a gillnet license buyback and correcting agency errors toward implementing alternative, selective commercial fishing gears. Instead of committing to addressing these failures, the draft policy being considered by the Commission abandons the reforms and opens the door to year-round gillnetting in the mainstem Columbia River. The draft policy is also inconsistent with the legal requirements in place in the State of Oregon, setting the stage for a possible break in concurrent management for the first time since the Columbia River Compact was adopted in 1915.

There are few Northwest fisheries issues more controversial with the public than the use of non-tribal gillnets in the lower Columbia River. The controversial actions taken by the Commission last year resulted in the loss of the Columbia River Salmon and Steelhead Endorsement, which provided WDFW much needed revenue for the management of Columbia River fisheries. The controversy has also been one of the primary reasons that agency requested legislation to increase recreational fishing license fees has failed to gain support in recent years. Adopting a policy that formally abandons the bi-state Columbia River reforms will elicit strong opposition to any fee increase legislation, which could have serious implications for WDFW's 2021-2023 operating budget as the state grapples with reduced revenues due to COVID-19.

We urge you not to abandon the guiding principles of the Oregon-Washington Columbia River fishery reforms. Instead, the Commission should maintain restrictions on mainstem gillnetting and outline a plan that includes clear expectations and benchmarks for the full transition away from gillnets in mainstem fisheries.

Sincerely,



Monica Jurado Stonier
State Representative-49th Legislative District



Andrew Barkis
State Representative-2nd Legislative District



Tom Dent
State Representative-13th Legislative District



Mary Dye
State Representative-9th Legislative District



Larry Hoff
State Representative-18th Legislative District



Carolyn Eslick
State Representative-39th Legislative District



Keith Goehner
State Representative-12th Legislative District



Roger Goodman
State Representative-45th Legislative District



Bill Jenkin
State Representative-16th Legislative District



Bradley Klippert
State Representative-8th Legislative District



Ed Orcutt
State Representative-20th Legislative District



Strom Peterson
State Representative-21st Legislative District



Eric Pettigrew
State Representative-37th Legislative District



Sharon Wylie
State Representative-49th Legislative District



Mia Gregerson
State Representative—33rd Legislative District

Joe Schmick
State Representative-9th Legislative District



Drew MacEwan
State Representative-35th Legislative District



Mike Sells
State Representative-38th Legislative District



Tana Senn
State Representative-41st Legislative District



Brandon Vick
State Representative-18th Legislative District



Alex Ybarra
State Representative-13th Legislative District

From: [Lothrop, Ryan L \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: Columbia River Salmon Management Policy
Date: Wednesday, August 26, 2020 8:12:11 AM
Attachments: [Columbia Policy 2020.pdf](#)
[ATT00001.htm](#)

Another one.

Ryan Lothrop
Washington Dept. of Fish and Wildlife

From: Warren, Ron R (DFW) <Ron.Warren@dfw.wa.gov>
Sent: Tuesday, August 25, 2020 8:11 PM
To: Susewind, Kelly (DFW) <Kelly.Susewind@dfw.wa.gov>; Tweit, William M (DFW) <William.Tweit@dfw.wa.gov>; Lothrop, Ryan L (DFW) <Ryan.Lothrop@dfw.wa.gov>; Cunningham, Kelly J (DFW) <Kelly.Cunningham@dfw.wa.gov>; Burley, Craig C (DFW) <Craig.Burley@dfw.wa.gov>; Hughes, Kirt M (DFW) <Kirt.Hughes@dfw.wa.gov>
Cc: Adicks, Kyle K (DFW) <Vincent.Adicks@dfw.wa.gov>; Grossmann, Michael S (ATG) <Michael.Grossmann@atg.wa.gov>; Panesko, Joe V (ATG) <joe.panesko@atg.wa.gov>; Lee, Kessina (DFW) <Kessina.Lee@dfw.wa.gov>
Subject: Fwd: Columbia River Salmon Management Policy

I haven't read this yet but wanted all to see it.

Thank you

Ron Warren
WDFW - Director's Office

Begin forwarded message:

From: Tim Hamilton <THFWA@comcast.net>
Date: August 25, 2020 at 6:07:28 PM PDT
To: "Commission (DFW)" <COMMISSION@dfw.wa.gov>
Cc: "Director (DFW)" <director@dfw.wa.gov>, "Warren, Ron R (DFW)" <Ron.Warren@dfw.wa.gov>
Subject: **Columbia River Salmon Management Policy**

Please forward this communication to the members of the Commission along with the attachment.

Thanks-

Tim Hamilton



Twin Harbors Fish & Wildlife Advocacy

PO Box 179
McCleary, WA 9855
thfwa.org



August 25, 2020

via: email in PDF format

Washington Fish & Wildlife Commission
600 Capitol Way N.
Olympia, WA 98504

Re: Columbia River Basin Salmon Management Policy

Dear Commissioners:

The Advocacy believes it appropriate to look back in time to determine what happened to the fish in the Columbia when considering the best path forward. On Dec. 9, 1908 President Teddy Roosevelt delivered his annual address to Congress and advocated removing the management of the Columbia back to the federal level. He explained his rationale with the following:

The salmon fisheries of the Columbia River are now but a fraction of what they were twenty-five years ago, and what they would be now if the United States Government had taken complete charge of them by intervening between Oregon and Washington. During these twenty-five years the fishermen of each State have naturally tried to take all they could get, and the two legislatures have never been able to agree on joint action of any kind adequate in degree for the protection of the fisheries. At the moment the fishing on the Oregon side is practically closed, while there is no limit on the Washington side of any kind, and no one can tell what the courts will decide as to the very statutes under which this action and non-action result. Meanwhile very few salmon reach the spawning grounds, and probably four years hence the fisheries will amount to nothing; and this comes from a struggle between the associated, or gill-net, fishermen on the one hand, and the owners of the fishing wheels up the river.

At the time he spoke, no dams existed in the Columbia Basin. Aberdeen was the largest city in the state with a population around 40,000. Large portions of the state contained vast old growth forests. Recreational fishing was nearly non-existent and the excessive harvest came exclusively from a commercial industry revolving around canneries that could ship the harvest out of the region via newly completed rail roads. Since the fishers supplying the canneries reimbursed the public nearly zero for the fish they landed, canned springer Chinook was selling in New York as a “poor man’s protein” at half the price of canned chicken. To keep this price advantage, the commercial fishers turned to the state to produce fish out of hatcheries as a means to continue the public subsidy (free fish) the industry was reliant upon.

Fast forward. The general public poured hundreds of millions of dollars into hatchery production. WDFW encourage recreational fishing as a means to increase funding for the Department. At the same time, those citizens who lived up stream watched as the flow of fish arriving inland declined year after year. Recreational license holders who fished locally found themselves

relying upon traveling down to the lower stretches to catch salmon. Those who didn't fish and received their value from experiencing the salmon spawning near their home witnessed stream after stream go barren.

Then we enter the time period after the passage of the Endangered Species Act (ESA). Natural spawning salmon and steelhead were granted ESA protection that required the rebuilding of the natural spawners. Hundreds of millions in tax dollars were brought to bear. Citizens living upstream were additionally severely impacted financially by the loss of timber harvest, irrigation capacity, subdivision opportunities, high cost sewage treatment improvements, etc. The result is those living upstream were being required to pay billions out of their pockets and businesses to supposedly restore the salmon. WDFW focused its attention on protected fishing opportunities on the open ocean to just inside the bars as little if any recovery occurred. To our knowledge, every stock that went on the ESA endangered species list remained on the list.

The Chinook River Basin Salmon Management Plan was passed in 2013 after an intense and controversial public debate over salmon management in the Columbia. At that time, many thought a means forward to recovery with fairness to all would be the outcome. Instead, turnover of members of the Commission stopped implementation and today the Policy is once again fueling public controversy over yet another proposal to increase commercial gillnet opportunities in the lower Columbia.

One of the key components of the Policy was a "buy back" provision wherein public funds would be used to purchase Columbia/Willapa and Columbia/Grays Harbor Commercial Gillnet licenses. The Department delayed development of a program for years. When Commissioner(s) finally grew impatient, the Department was directed to deliver a draft program during the next meeting of the Commission.

Advocacy President Tim Hamilton had researched previous buy back programs that followed the Boldt decision. He offered to share with the Department his research and knowledge of small business principals attained during his 35 year long career as the Executive Director of a state-wide trade association of small business interests (motor fuel marketers).

The Department accepted and he met in Olympia with management. It was clear to the Advocacy that after all these years the Department had not invested any significant effort into producing a plan for consideration by the Commission. Surprised by this, Mr. Hamilton mentioned the language in the Policy on a buy back provision and requests for production during the last Commission meeting as the reason for his offer. WDFW Region 5 head Ron Roller responded with "*Those gillnets aren't going anywhere*". Hamilton responded with "But the Policy says.....". He came back again with "*Those gillnets aren't going anywhere.*"

The Advocacy came away from the meeting convinced the Department management had not in the past, and would unlikely in the future feel duty bound to honor a Policy passed by the Commission in concert with the public. Same goes for a request for work product from a Commis-

sioner unless the request provides an opportunity for the Department to promote an action item it desires without disclosing it's role to the public.

As President Roosevelt stated, “ *the two legislatures have never been able to agree on joint action of any kind adequate in degree for the protection of the fisheries.*” Recognizing the political polarization that was adversely affecting the resources, the citizens of Washington likewise decided intervention was required. In 1994, legislative management was replaced by a nine-member Fish & Wildlife Commission. Salaries were set at a miniscule level to insure applicants were motivated by a desire to serve the people rather than an opportunity to receive personal remuneration. While all nine were expected to serve the interests of all the citizens, the state was divided regionally to insure regional fairness.

The recent actions to modify the Policy by increasing commercial harvest is telling when considering whether the formation of a Commission actually rose to expectations of the supporters of the ballot measure. While one can accept certain members of the Commission may be sympathetic to the gillnet license holders, the Commission formation was designed to insure fairness for all the citizens not just the few who have political support. Since over 90% of the state's citizens do not fish with either a net or a pole, which of you today will stand up for their rights?

Are the people who reside in the Columbia Basin not entitled to see recovery and witness spawning salmon in their local streams? Is it fair to those who recreationally fish that they be required to drive to the coast? Is it fair to ask the taxpayers to continue to provide millions in subsidies that deliver the equivalent of a typical monthly truck payment to the 100 or so to holder's of a commercial gillnet license? Is it appropriate that these license holders pay less for the fish they catch than the public spends to have images of salmon spray painted on storm water drain lids? Is it not understandable why so many who have dealt with the Department over the years believe WDFW is a walking talking poster child for the political slogan “Drain the swamp?”

The unfair treatment of the citizens living upstream is not isolated to just the Columbia Basin. The Chehalis River is the second largest stream in the state and once again, the harvest is set for the benefit of commercial interests on the ocean and lower stretches of the river. Just like in the Columbia, many of those residing upstream feel they are being treated like share-croppers rather than stakeholders.

One example of the Department's attitude toward those who live upstream came across in a phone call over a decade ago between former WDFW Director Phil Anderson and later to become Advocacy Member Ron Schweitzer. A long time recreational fisher who dedicated a significant effort to help locals improve and restore fish runs in the Chehalis Basin, Ron called Anderson to explain he was on the water today and could not find any salmon in the river. Anderson's response was telling. He advised Ron that if he wanted to catch a salmon he needed to go out on a charter boat out of Westport. Ron responded by reminding Mr. Anderson of his historical financial interests in charter boats and the call abruptly ended.

Returning back to the Columbia, retirees of WDFW shared a similar experience when they expressed a concern that an action proposed by the Department could adversely affect trout fishing

in streams that was important culturally and economically to those who live in the Basin. They state the response from upper management that locals who wanted to fish could drive down and fish for salmon at Buoy 10 in the mouth of the Columbia.

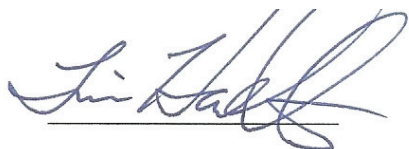
The members of the Advocacy request each member of the Commission to ask themselves who would benefit if the latest effort to increase commercial harvest in the lower Columbia is successful? How much could each gillnet license holder expect to receive in the pocket book? Is a vote in favor of the proposal in the best interest of the taxpayers across the state? Is passage an action that a reasonable person could view as respectful to those who reside in the Columbia Basin? How would such a move improve the chances of restoring salmon runs and getting Columbia stocks off the ESA list?

In the commentary prior to the vote, we hope each Commissioner will share his/her on these with the public. You might also take the opportunity to answer the question we get asked all time. *“Does the Commissioners work for the Director of WDFW or does the Director work for the Commission?”*

Recognizing the responsibilities of the Commission is especially crucial at this point. The Advocacy fully understands the large and complex task facing members of the Commission. We recognize that the statute creating the Commission provided the ability to delegate powers down to the Director. However, the statute does not relieve the Commission from its responsibilities upon delegation and further more, the Department would simply ignore it anyway. Whether we like it or not, “The buck stops” on each of your’s desk and the Commission is responsible for oversight of the Department and its staff.

In closing, the three of us live in Grays Harbor. If the Advocacy members were to take a position in favor of such a measure in the Chehalis River, we would expect our neighbors and friends that found out about it would demand to see “For Sale Signs in our front yards.” Our only way out would be if they didn’t know what had been done to them or couldn’t figure out who did it to them. Course, that protection would dissipate every morning when we looked into the mirror to brush our teeth as we would know it even if the public didn’t.

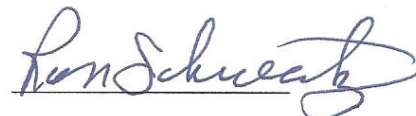
For whatever it’s worth.



Tim Hamilton
President



Art Holman
Vice-President



Ron Schweitzer
Secretary/Treasurer

From: [Commission \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: SE WA County Comments on the Columbia River Basin Salmon Management Policy C-3620
Date: Thursday, August 27, 2020 7:44:40 AM
Attachments: [SE WA Counties WDFW Commission C3620 recomendations August 2020 - Final.pdf](#)

From: John Foltz <john@snakeriverboard.org>
Sent: Wednesday, August 26, 2020 4:40 PM
To: Commission (DFW) <COMMISSION@dfw.wa.gov>; Lininger, Tami L (DFW) <Tami.Lininger@dfw.wa.gov>; Director (DFW) <director@dfw.wa.gov>
Cc: Lothrop, Ryan L (DFW) <Ryan.Lothrop@dfw.wa.gov>; curt.melcher@state.or.us; fdsk@critfc.org; director@critfc.org; odfw.info@state.or.us; odfw.commission@state.or.us; Bill Bowles <BILLBOWLES_7@msn.com>; chris.kern@state.or.us; Tweit, William M (DFW) <William.Tweit@dfw.wa.gov>; tucker.a.jones@state.or.us
Subject: SE WA County Comments on the Columbia River Basin Salmon Management Policy C-3620

Dear Chairman Carpenter and Director Susewind,

I was asked to send the attached letter from the Southeastern Washington Counties regarding the Columbia River Basin Salmon Management Policy, Washington Fish and Wildlife Commission Policy C-3620.

Thank you.

JOHN FOLTZ
EXECUTIVE DIRECTOR
SNAKE RIVER SALMON RECOVERY BOARD
509-382-4115
JOHN@SNAKERIVERBOARD.ORG

August 26, 2020

Kelly Susewind, Director
Washington Department of Fish & Wildlife
600 Capitol Way North
Olympia, WA 98501-1091

Larry Carpenter, Chair
Washington Fish & Wildlife Commission
600 Capitol Way North
Olympia, WA 98501-1091

Dear Mr. Susewind and Mr. Carpenter:

The Commissioners from Asotin, Columbia, Garfield, Walla Walla, and Whitman Counties would like to extend support for the letter from the Snake River Salmon Recovery Board dated July 28, 2020 regarding the Columbia River Basin Salmon Management Policy C-3620. We appreciate the Commissions review of the Snake River Board's previous recommendations provided previously, recommendations also supported by the Counties of Southeastern Washington. However, as Washington continues to review the policy to seek eventual concurrence with Oregon, we need more for Southeastern Washington.

Southeastern Washington Counties benefits directly from Snake River spring Chinook fisheries and each county has a voting member on the Snake River Salmon Recovery Board. For over the past ten plus years we have been attending spring Chinook fisheries meetings and sending letters regarding the lack of fisheries in southeastern Washington.


We fully support the specific recommendations in the Snake Board letter and the need for increased consideration for conservation, rural economies, and statewide equity in the policy. We believe that these recommendations do not negatively impact the other guiding principles. RCW 77.040.012 mandates that the Commission maximize public recreational fishing and hunting opportunities for all citizens. As County Commissioners we have not observed the current spring Chinook allocation splits as providing all citizens, regardless of geography, equitable recreational fishing opportunities for Columbia River spring Chinook salmon.

Sincerely,

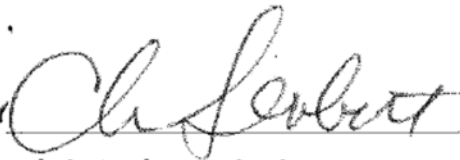
The Counties of Southeastern Washington

CC: Mary Wahl, Chair, Oregon Fish & Wildlife Commission
Curt Melcher, Director, Oregon Department of Fish and Wildlife
Bill Tweit, Special Assistant to the Director, Washington Department of Fish and Wildlife
Tucker Jones, Ocean Salmon and Columbia River Program Mgr., Oregon Department of Fish and Wildlife
Casey Mitchell, Chairman, Columbia River Inter-Tribal Fish Commission
John Foltz, Executive Director, Snake River Salmon Recovery Board

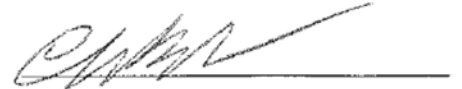
Asotin County Commissioners



Brian Shinn, District #1

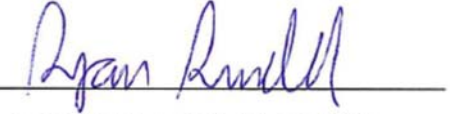


Chris Seubert, District #2

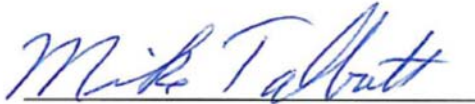


Chuck Whitman, District #3

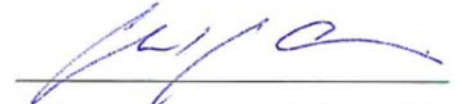
Columbia County Commissioners



Ryan R. Rundell, District #1

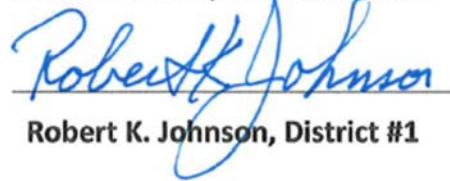


Michael A. Talbott, District #2



Charles L. Amerein, District #3

Garfield County Commissioners



Robert K. Johnson, District #1

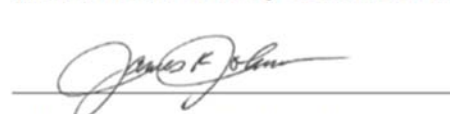


Justin Dixon, District #2



Wynne McCabe, District #3

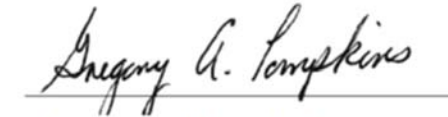
Walla Walla County Commissioners



Jim Johnson, District #1

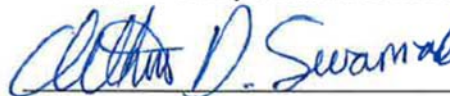


Todd Kimball, District #2



Greg Tompkins, District #3

Whitman County Commissioners



Art Swannack, District #1



Dean Kinzer, District #2



Michael Largent, District #3

From: [Lothrop, Ryan L \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: Letter opposing commercial gillnets in the mainstem of the Columbia (Columbia River Reforms)
Date: Thursday, August 27, 2020 11:53:18 AM
Attachments: [Coalition Letter.pdf](#)

Ryan Lothrop
Washington Dept. of Fish and Wildlife

From: McBride, Tom A (DFW) <Tom.McBride@dfw.wa.gov>
Sent: Thursday, August 27, 2020 11:51 AM
To: Warren, Ron R (DFW) <Ron.Warren@dfw.wa.gov>; Lothrop, Ryan L (DFW) <Ryan.Lothrop@dfw.wa.gov>
Subject: Letter opposing commercial gillnets in the mainstem of the Columbia (Columbia River Reforms)

Please see the attached letter regarding the Columbia River reforms from well over 100 organizations and businesses, representing tens of thousands of members and businesses that employ thousands of Washingtonians. Collectively, we all care about the future of our fish runs and our fisheries and are opposed to the CRW recommendations for the Columbia River Fishery Reform Policy (C-3620).

On behalf of all the signatories on the letter, thank you for your service.

Sincerely,
Peter Schrappen, CAE

Peter Schrappen, CAE | Vice President & Director of Government Affairs
Northwest Marine Trade Association | 206-634-0911
[NMTA: Facebook](#) | [Twitter](#) | [LinkedIn](#)
[Seattle Boat Show: Facebook](#) | [Twitter](#) | [YouTube](#)

August 27, 2020

Washington Fish and Wildlife Commission
600 Capitol Way N
Olympia, WA 98501

Chair Carpenter and Commissioners,

We appreciate the opportunity to comment on the Commission's review of Columbia River Salmon Fishery Management Policy (C-3620). We strongly oppose the June 10, 2020 recommendation by the Commission's Columbia River Workgroup (CRW). The CRW proposal would reduce recreational fishing opportunity across the Columbia River basin and restore year-round gillnetting to the mainstem lower Columbia River, which will harm Columbia River salmon and steelhead populations and the communities and businesses that rely on recreational fisheries. We urge the Commission to reject this misguided proposal.

The CRW proposal cuts mark-selective recreational fisheries during both the spring and summer – January 1 through July 31 - and replaces them with mainstem gillnet fisheries that are either less selective (i.e., "tangle nets") or completely non-selective. At a time when many stocks of Columbia River wild salmon, wild steelhead and sturgeon are seeing dramatic declines, the CRW proposal would reduce the selectivity of Columbia River fisheries, increase bycatch of non-target species like sturgeon, and expose ESA-listed salmon and steelhead to additional mortalities in mainstem gillnet fisheries.

Spring Chinook. The CRW's proposed "abundance-based matrix" would reduce recreational spring Chinook fishing opportunity – above and below Bonneville Dam - by an average of 13.5% and by as much as 19% compared to the State of Oregon's rules. It would return gillnets and "tangle nets" to the mainstem Columbia River for first time since 2016 and even authorizes gillnet fisheries before a run update can confirm that spring Chinook forecasts have materialized.

Summer Chinook. The CRW's proposed "abundance-based matrix" would reduce recreational summer Chinook fishing opportunity – above and below Bonneville Dam - by an average of 11% and by as much as 25% compared to the State of Oregon's rules. It would return gillnets to the mainstem Columbia River for first time since 2016 where they will be allowed to retain wild summer Chinook, which is not permitted in the mark-selective recreational fishery. This is in direct conflict with WDFW's position – including recent comments by senior WDFW staff - that recreational fisheries should be mark-selective to increase the escapement of wild summer Chinook and selectively harvest hatchery fish consistent with federal requirements for hatchery operations.

Fall Chinook. The CRW policy authorizes mainstem gillnetting in Zones 1-3 during the fall, removing a protection in place for ESA-listed Tule fall Chinook, and undermines efforts to maintain hatchery production through the implementation of mark-selective fisheries. The CRW's proposed policy also removes the requirement for monitoring of the Zones 4-5 mainstem gillnet fishery that was in the Commission's 2017 policy, which was intended to quantify the impact of the Zones 4-5 fishery on bycatch species like B-run steelhead.

The CRW policy is a major concern to the hundreds of thousands of recreational anglers and the many businesses that make up Washington’s recreational fishing economy, which stretches from sporting goods retailers, marinas and guides, to tackle manufacturers and boat builders in eastern Washington and beyond. Recreational fishing is an integral part of the economy of Washington’s rural and urban areas, but the CRW policy threatens an industry that is already reeling from drastic salmon fishing closures in Puget Sound, a statewide fishing closure due to COVID-19, and the exclusion of most of the industry from federal relief funds under the CARES Act.

The CRW policy ignores the significant enhancements made to off-channel gillnet harvests - a foundational mitigation element of the bi-state reforms - and threatens to end concurrent management of the Columbia River between the states of Oregon and Washington. The policy also ignores the continued need to transition to fishing methods capable of selective harvest in the mainstem to protect wild salmon and meet federal requirements for maintaining hatchery production.

Instead of compromising on conservation and devolving Columbia River fisheries into conflict and chaos, we urge the Commission to adopt a policy consistent with the State of Oregon’s rules, and which also includes a plan for fully transitioning gillnets out of the lower mainstem Columbia River.

Sincerely,

Coastal Conservation Association Washington
Northwest Sportfishing Industry Association

Northwest Marine Trade Association
Northwest Steelheaders

Clark Skamania Flyfishers
Congressional Sportsmen's Foundation
Lower Columbia Flyfishers
Puget Sound Anglers East Jefferson Chapter
Theodore Roosevelt Conservation Partnership
Wood Village, Oregon

Coastal Conservation Association – Oregon
Cowlitz Fly Anglers
NW Guides and Anglers Association
Puget Sound Anglers South Sound Chapter
Washington Council Fly Fishers International

24/7 Industries
Active Outdoors
Alexander Investors' Services, LTD
Ancient Mariner Guide Service
Angler's Rendezvous, Inc.
Aspen Power Catamarans
B.S. Fish Tales dba Brad's Killer Fishing Gear
Basta Boatlifts
Bill Monroe Outdoors, LLC

3 Rivers Marine
Alan's Guide Service
Anchor Caddie
Anesthesia Associates Northwest
Applied AR
Atomic Anglers Guide Service LLC
Bake's Marine Consulting
Bentz Tackle
Black Heron Fly Fishing

Blacky's Guide Service Inc
BnR Tackle
Bob's Sporting Goods
Camano Marine
Camp Kalama RV Park
Chris V's Guide Service
Clean Sails
Deschutes Steelheader, Co.
Dock Street Marina
Eagle Cap Fishing Guides
Fahey Ventures
Findlay's Guide Service
Fish Reaper
Fisherman's Marine & Outdoor
Hesters Sportfishing
Hunter-Davisson, Inc.
Its All Good Guide Service LLC
Jim Clark LLC
John's Jigs LL
Kevin Hawkins Fishing
Law Office Of William DeVoe
Legendary Chrome Guide Service
LEO Flashers
Lucas Holmgren Media
Maxima Fishing Line
Myers Woodline Inc
Northwest Fishing Adventures LLC
Northwestern Outdoors
Oregon-Canadian Forest Products Inc.
Pacific Boatland
Paradise Guide Service
Poulsen Cascade Tackle
Reel Time Fishing
Bluebird Ventures LLC
Bob Rees' Fishing Guide Service
Buzz Ramsey Promo
Cameo Home Inspection Services
Catcher Co. dba Smelly Jelly
CircleHook LLC
Denny Construction
DMD Consulting
Double G Guide Service
Ecosystems
Farwest Sports, Inc.
Fish Hunt Northwest (DMI Media Northwest)
Fisheries Supply Company
Harry Bresnahan's Guide Service
Hewes Marine Co., Inc.
Imtra
James L Nicol Guide Service
John Elder Fishing Guide Service
Kalama Spirits and Tobacco
Larry Albert Co
Law Offices of Robert G. Dolton
Leisure Sales
Lockhaven Marina, Inc.
Mack's Lure, Inc.
Miller Marine Products LLC
North Point
Northwest Rigging
Ollie Damon's
Outdoor Emporium
Pacific Health
Pautzke Bait Co., Inc.
RB Boats
Renaissance Marine Group, Inc.

Rich Kelly Financial Services

Shelton's Tree Farm

SPD&G Advertising

Sports Service

Stevens Marine

Team Takedown Guide Service

The Guide's Forecast

Tom Posey Co.

Total Fisherman Guide Service

Washington West Fishing Adventures

Western Fishing Adventures Ltd.

Scott A Kappes Corporation

Smokehouse Products, LLC.

Sportco Warehouse Sporting Goods

Steel Dreams Guide Service

TackleTim

Ted's Sports Center

The Reel News

Tom-n-Jerrys

United Sales Associates

West Coast Auto Enthusiasts

Yakima Bait Company

CC: Washington Governor Jay Inslee
Oregon Governor Kate Brown
Chair Mary Wahl, Oregon Fish and Wildlife Commission
Director Kelly Susewind, WDFW
Director Curt Melcher, ODFW

From: [Commission \(DFW\)](#)
To: [Dobler, Myrtice C \(DFW\)](#)
Subject: FW: Proposed revisions to Columbia River Fishery Management Policy (C-3620)
Date: Monday, August 31, 2020 7:40:08 AM
Attachments: [commission letter 082820 FINAL \(1\).docx](#)

From: Liz Hamilton <nsializ@aol.com>
Sent: Friday, August 28, 2020 5:17 PM
To: Linville, Molly F (DFW) <Molly.Linville@dfw.wa.gov>; bbakerwdfw@gmail.com; Thorburn, Kim M (DFW) <Kim.Thorburn@dfw.wa.gov>; lc3896@gmail.com; bradley.smith@wwu.edu; fishboy@nwi.net; rfk@psvoa.com; donald.mcisaac@dma-consulting.net; Anderson, James R (DFW) <James.Anderson@dfw.wa.gov>; Commission (DFW) <COMMISSION@dfw.wa.gov>; Susewind, Kelly (DFW) <Kelly.Susewind@dfw.wa.gov>; odfw.commission@state.or.us
Cc: nello.picinich@ccawashington.org; peter@nmta.net; chager@anws.org
Subject: Proposed revisions to Columbia River Fishery Management Policy (C-3620)

Honorable Commissioners and Director Susewind,

On behalf of ANWS, CCA, NMTA, and NSIA , we respectfully ask that you consider the attached questions and recommendations ahead of the September 1 full Commission workshop and September 11 Commission meeting.

Thank you, in advance, for your thoughtful review of these questions and recommendations. Stay safe, and have a wonderful weekend.

Liz Hamilton, Executive Director
503.631.8859 503.704.1772m

www.nsiafishing.org

 <https://www.facebook.com/NSIAFishing>

 <https://www.instagram.com/nsiafishing>

Contribute TODAY



August 28, 2020

Washington Fish and Wildlife Commission
600 Capitol Way N
Olympia, WA 98501

Dear Commissioners,

Thank you for your continued service to Washington's fish and wildlife and the personal sacrifice your positions require. We appreciate the time and effort the Commission is dedicating to reviewing the proposed revisions to Columbia River Fishery Management Policy (C-3620) that were the product of a 2-1 vote of the Columbia River Workgroup (CRW). You have received hundreds of comments from concerned citizens, legislators, businesses, local governments, conservation interests, and salmon recovery organizations – the response to the CRW proposal has been overwhelmingly negative.

This is because the CRW proposal represents a step backwards for the conservation of wild salmon and steelhead as mark-selective recreational fisheries are replaced by gillnet fisheries that are entirely non-selective (summer) or ~45% less selective (spring) and pose a risk of bycatch to species like steelhead and sturgeon. The policy would shift more Columbia River salmon harvests to commercial fisheries, which already harvest an overwhelming majority of Columbia River basin salmon in commercial fisheries in Alaska, BC, off the Washington coast and again in tribal Zone 6 fisheries. None of these commercial fisheries release wild or ESA-listed salmon.

We are firmly opposed to the CRW's proposed policy; however, we do believe the Commission can take practical steps to address flaws in the implementation of C-3620 and further the important conservation, economic, and social objectives of the policy. We respectfully ask that you consider the following questions and recommendations ahead of the September 1 full Commission workshop and September 11 Commission meeting.

What are the conservation impacts of the CRW's recommendation?

WDFW has a paramount duty to "conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource." The other statutory directives in [RCW 77.04.012](#), including the directive to "seek to maintain the economic well-being and stability of the fishing industry in the state" (commercial and recreational), are secondary to this paramount duty.

We have not heard a single argument put forward by the CRW for how the proposed changes to fisheries management will improve the conservation of Columbia River basin salmon and steelhead

populations. Instead, we have heard terms like “no additional fishing pressure” and staying under the “ESA impact limits” included in no jeopardy biological opinions from NOAA Fisheries. This does not represent a forward-looking approach to conservation, including considering how fisheries should be managed to help meet wild fish escapement and pHOS objectives. We urge you to consider the following questions related to conservation.

Summer Chinook. The CRW recommendation would return gillnets to the mainstem Columbia River for first time since 2016 where they will be allowed to retain wild summer Chinook, which is not permitted in the mark-selective recreational fishery. This is in direct conflict with WDFW’s position – including recent comments by senior WDFW staff - that recreational fisheries should be mark-selective to increase the escapement of wild summer Chinook and selectively harvest hatchery fish consistent with federal requirements for hatchery operations.

How will restoring non-selective gillnetting to the mainstem Columbia River under the CRW’s proposed “abundance-based matrix” impact the escapement of wild summer Chinook to upper Columbia River tributaries – some of which frequently fall short of meeting wild escapement goals?

How can the Commission and WDFW argue that the recreational summer Chinook fishery – below or above Bonneville Dam – be mark-selective when the commercial gillnet fishery is permitted to retain wild summer Chinook?

Lower Columbia River fall Chinook pHOS requirements and the use of gillnets. We urge the Commission to review claims that mainstem gillnetting is capable of targeting excess returning hatchery fish and reducing pHOS for ESA-listed lower Columbia River “Tule” fall Chinook to comply with federal requirements for hatchery approvals under the ESA. These claims are not true and ignore the pressing need to shift to fishing gears capable of mark-selective harvest (recreational hook and line, pound nets, seines) to reduce pHOS and prevent additional federal mandates to reduce hatchery production.

The CRW recommendation removes language from C-3620 prioritizing the transition to mark-selective fisheries to help address pHOS concerns and would allow mainstem, non-selective gillnetting below the Lewis River in Zones 1-3. Instead of driving the implementation of alternative, selective commercial fishing gear, the CRW proposal is a step backwards. If lower Columbia River fall Chinook hatchery production is indeed threatened if pHOS is not controlled, why would the Commission adopt a policy that returns gillnets to this area and undercuts efforts by third-party organizations and commercial fishers to transition to mark-selective harvest?

Impacts to B-Run steelhead in the Zones 4-5 gillnet fishery. The Commission has received letters from [Trout Unlimited](#) and other conservation groups raising concerns about the lack of science and observation data to support WDFW’s assumptions about the impact of the Zones 4-5 gillnet fishery on steelhead populations (including ESA-listed B-Run steelhead). WDFW’s lack of scrutiny into this gillnet fishery stands in stark contrast to the rigorous approach taken for monitoring and conducting long-term mortality rate testing for seines and pound nets.

The CRW’s proposed policy removes the requirement for monitoring of the Zones 4-5 mainstem gillnet fishery that was in the Commission’s 2017 policy, includes no firm commitment to conduct long-term release mortality studies for steelhead released from gillnets, and actually expands the areas where gillnets can be used during the fall.

At a time when there is widespread concern about the health of steelhead populations and proposals to close popular recreational fishing areas to provide thermal angling sanctuaries, is the Commission not concerned with this double standard and the potential implications for the conservation of steelhead?

Policy C-3620, RCW 77.04.012 and Economics

One of the original objectives of C-3620 was to “maintain or enhance the economic well-being and stability of the fishing industry in the state” consistent with one mandate of RCW 77.04.012. It is appropriate to consider how both the commercial and recreational fishing industries have fared under C-3620. The CRW has not focused on the economic impacts of C-3620 or the proposed CRW recommendations to the recreational fishery. It also has not considered how best to optimize the overall economic benefits to the fishing industry – recreational and commercial. The CRW has instead focused on the economic impacts of the policy to the commercial industry.

Before addressing commercial economics, it is important to note that the courts have found that WDFW has the authority under RCW 77.04.012 to make shifts in allocation that might disadvantage one sector at the expense of the other and that WDFW’s mandate to “seek to maintain the economic well-being and stability of the fishing industry in the state” includes the collective industry - commercial and recreational. It is not a mandate to maintain the commercial fishing industry alone and WDFW can establish policies and seasons that seek to optimize the overall value of the industry – commercial and recreational – that might reduce opportunity for one sector (see: [Puget Sound Crab Association v. State of Washington, Department of Fish and Wildlife](#) (2013)). By reducing sportfishing opportunity, it is likely that the draft CRW policy would significantly diminish economic value of the fishery to the fishing industry as whole. Unfortunately, the CRW made no serious effort to conduct such an analysis.

Instead, Commissioners Kehoe and McIsaac have [argued](#) that because not all of the of the expectations of C-3620 have been met, particularly related to expected mainstem harvests in alternative commercial fishing gears, the Commission should adaptively revise C-3620 to restore mainstem gillnetting in spring, summer, and expand it in the fall – a position that ignores other key components of the bi-state reforms.

It is critical to understand that adaptive management has already been invoked to significantly reduce the economic impact to the commercial gillnet industry. In 2017, both states modified the original reform provisions to allow continued mainstem gillnetting during the fall Zones 4-5 fishery. The Oregon Commission also approved additional hatchery production increases in the SAFE areas to further augment the economics of the gillnet fleet. **Much of that additional production has been paid for by recreational anglers through Oregon’s Columbia River Endorsement.** These changes were adopted in March 2017 and received the unanimous support of the Oregon Fish and Wildlife Commission - including former ODFW Commissioner and gillnet advocate Bruce Buckmaster.

That Increased hatchery production – primarily spring Chinook - is now returning to the off-channel areas to further mitigate for reductions in mainstem gillnet fishing opportunity. [Modeling](#) recently performed by ODFW for the Policy Review Committee provides estimates of commercial ex-vessel values under the current Oregon rules (Option C, Table 4) and other policy options. While the CRW recommendation has not been modeled, the “2019 Washington Policy with Oregon Policy SAFE hatchery production expectations” (Option A, Table 2) provides a close estimate. A comparison of the two options is instructive.

Beginning in 2022 when the full effect of the Oregon SAFE area spring Chinook hatchery production increases is felt, the current Oregon rules are estimated to result in a commercial ex-vessel value of \$4.06 million. Meanwhile, the 2019 Washington policy (Option A, Table 2) is estimated to generate a commercial ex-vessel value of \$4.49 million in 2022 – **a difference of \$400,000, or 9% for the combined Oregon-Washington gillnet fleet. For the smaller Washington gillnet fleet, the difference is likely closer to 1/3 of this number, or approximately \$133,000.**

Is the Washington Commission willing to compromise on its conservation mandate, risk breaking concurrent management with the State of Oregon, and undermine its support with the public, the recreational fishing community, conservation organizations, and elected officials for an additional estimated \$133,000 in annual ex-vessel value for a handful of gillnet license-holders and commercial fish buyers?

Fortunately, the Commission does not have to make this choice. According to ODFW staff, the SAFE areas can accommodate an additional 750,000 spring Chinook smolts, a 20% increase over the current 3.515 million production level – if additional funding can be secured. This increase represents approximately \$350,000 in additional commercial ex-vessel value, which would effectively erase the difference in ex-vessel value between Washington’s recent position and Oregon’s current rules.

Instead of adopting a policy that threatens to dismantle the bi-state reforms, including, according to ODFW, funding for the SAFE area hatchery production, why doesn’t Washington help fund this additional SAFE area hatchery production? The cost of this production would be modest and could come through Pacific Salmon Treaty funds given the associated benefits for SRKW prey.

While nearly all the SAFE areas are on the Oregon side of the river, Washington gillnet fishers have access to fish in these areas and an agreement could be reached to allocate fishing days between fishers from each state. This represents a durable solution coupled with a buyback for Washington gillnet fishers who do not wish to shift the focus of their operations to the SAFE areas.

In conclusion, there are adaptive management options available to the Commission to increase the commercial ex-vessel value that do not come at the cost of conservation, recreational fishing opportunity, concurrent management, and WDFW’s credibility.

Recreational spring Chinook fishing opportunity and commercial harvests

Several Commissions have spoken about their desire to see additional fishing opportunity for spring Chinook anglers in eastern Washington. Unfortunately, **the CRW’s “abundance-based matrix” would reduce recreational spring Chinook fishing opportunity by an average of 13.5% and by as much as 19%.** This reduction would apply to recreational spring Chinook fisheries below and above Bonneville Dam. **These reductions would far outweigh the 5% shift in the recreational allocation from downriver to upriver fisheries that has been discussed, but not adopted, by the CRW.**

There is no reason to alter the 80%/20% recreational/commercial allocation currently in place in Oregon for the sharing of spring Chinook impacts. It is important to remember that this is an allocation of the impacts to ESA-listed spring Chinook and not actual harvest sharing. **With the increased hatchery production in the SAFE area fisheries, from 2017-2020 commercial spring Chinook harvests have exceeded recreational spring Chinook harvests throughout the Columbia and Snake Rivers despite the lack of any mainstem commercial tangle net fisheries.**

Columbia/Snake River Spring Chinook Harvests										
	Recreational					Commercial				
* kept plus morts	LCR	Above BON	Snake	Total	%	SAFE	Mainstem	Total	%	
2017	9,366	18	66	9,450	43.8%	12,131	0	12,131	56.2%	
2018	7,737	713	773	9,223	51.3%	8,744	0	8,744	48.7%	
2019	1,774	287	331	2,392	62.7%	1,422	0	1,422	37.3%	
2020 (prelim)	1,498	600	386	2,484	50.8%	2,408	0	2,408	49.1%	
Total 2017-2020				23,549		24,705				
%					48.8%					51.2%

Under the CRW recommendation from spring Chinook, one of the most valuable recreational fisheries in the country would be reduced by an average of 13.5% -- representing millions of dollars in lost economic value to our region -- while a modes commercial fishery would see its share of the harvest further increased.

Instead of compromising on conservation and devolving Columbia River fisheries into conflict and chaos, we urge the Commission to adopt a policy that builds upon the State of Oregon's rules with additional SAFE area hatchery production increases, a buyback tied to mitigating for the restrictions on mainstem gillnetting, and a plan for transitioning to alternative, selective fishing gears for mainstem fisheries to enhance conservation, recovery, and prevent further reductions in hatchery production.

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: Contact the Commission: Commission Meetings
Date: Friday, August 28, 2020 11:48:57 AM
Attachments: [8.28.20 cmts re WDFW CRW policy Purpose Benchmark.pdf](#)

From: Brian McLachlan <bamclachlan@hotmail.com>
Sent: Friday, August 28, 2020 11:47 AM
To: Commission (DFW) <COMMISSION@dfw.wa.gov>
Subject: Contact the Commission: Commission Meetings

Name	Brian McLachlan
Email	bamclachlan@hotmail.com
Address	7310 SW Ashdale Drive Portland OR 97223
Subject	Commission Meetings
Message	Please find comments regarding Columbia River non-treaty salmon fisheries policy and the Sept. 1 workshop re the same.
Attachment	https://www.123formbuilder.com/upload_dld.php?fileid=258b8717f158809931452042e9251aa6

The message has been sent from 24.20.186.166 (United States) at 2020-08-28 14:46:31 on Chrome 84.0.4147.135
Entry ID: 2391

Brian McLachlan
Portland, Oregon
August 28, 2020

Washington Fish and Wildlife Commission
Submitted via <https://wdfw.wa.gov/about/commission/contact>

Re: Additional Comments regarding Columbia River non-treaty salmon fisheries policy:
The Proposed Purpose Statement and Historical Benchmark

Dear Commissioners:

On July 31, 2020, I provided testimony to the Commission in opposition to the Columbia River Workgroup's (CRW) proposed policy revisions. As part of my testimony, I said the CRW's proposed revisions were markedly flawed and the result of failures to begin with the right objectives, ask the right questions, and employ the right technical analysis. I also pointed out how the proposed revisions dismantled fundamental aspects of the bi-state Columbia River Reform package and undermined WDFW's new strategic plan objectives.

I understand the Commission is holding a workshop to discuss the proposed policy revisions on September 1, and that a decision is scheduled for September 11. Unfortunately, it appears no public comments will be taken on either date. Accordingly, I will offer supplemental comments in writing for the Commission's consideration.

1. The CRW's Proposed Purpose Statement Intentionally Deviates from WDFW's Statutory Mandate in a Manner that Favors the Commercial Fishery

In prior testimony to the CRW, including a letter dated June 8, 2020 (attached and hereby incorporated by reference), I pointed out that the purpose statement set forth in the Workgroup's draft policy materially deviated from WDFW's legislative mandate at RCW 77.04.012.

While my concerns were and remain primarily centered on policy issues, because the revisions concerned statutory language, I suggested the CRW consult agency counsel about them.

At the July 21 CRW meeting, senior counsel Joseph Panesko, of the Washington State Attorney General's Office, was asked about the draft purpose statement's departure from statutory language. Mr. Panesko characterized the CRW's purpose statement as, with respect to the agency's statutory mandate, an attempt "to condense it and summarize it for purposes of brevity." July 21, 2020, CRW Meeting, MP3 Audio File at 3:01:00 to 3:06:10. While he acknowledged that the purpose statement in paraphrasing the statute did in fact change some language, and thus resulted in some ambiguity and conflation of sections, he advised the CRW that, notwithstanding the altered language, the purpose statement did not necessarily or expressly conflict with the statute or applicable caselaw. *Id.*

I offer the following perspective in response to Mr. Panesko's comments:

First, to the extent the purpose statement is, as Mr. Panesko characterized it, an attempt to summarize and condense the agency's statutory mandate, it appears to run afoul of well-established rules of statutory interpretation. Statutes are to be interpreted to "give effect to all language, so as to render no portion meaningless or superfluous." *Rivard v. State*, 168 Wash.2d 775, 783, 231 P.3d 186 (2010). Moreover, in interpreting a statute, it is improper to "add words where the legislature has chosen not to include them" *Lake v. Woodcreek Homeowners Ass'n*, 169 Wash.2d 516, 526, 243 P.3d 1283 (2010).

The CRW's purpose statement conflates two separate and distinct statutory provisions (the maintain/industry mandate and the enhance/fishing mandate), and in so doing renders meaningless the distinction the Legislature drew between the two as embodied in the language and structure employed in the statute. *See Puget Sound Crab Ass'n v. State*, 174 Wn. App. 572, (2013) (analyzing each provision separately and noting "RCW 77.04.012 uses both 'fishing industry' and 'commercial fishing,' implying that the two are not synonymous."). The purpose statement also improperly adds words where the Legislature did not, such a "enhance" as applied to the commercial and recreational fishing industries, and the qualifier "geographic" to the statutory term "stability." Thus, the purpose statement fails to offer an accurate summary of the agency's statutory mandate.

Second, Mr. Panesko indicated the CRW's purpose statement summarized and condensed the statute "for purposes of brevity." If "brevity" were truly the CRW's motivation, it would be a curious one. The sections of the statute in question comprise a total of 25 words. The relevant section of the purpose statement comprises 18 words. In a document that few would characterize as economical in its use of words, it borders on absurd to conflate and muddle together two distinct statutory provisions in the purported interest of brevity just to save seven words. (To illustrate, this sentence is seven words.)

Third, Mr. Panesko's characterization of the CRW's purpose statement does not square with Commissioner McIsaac's express statement that the departures from statutory language were indeed "intended deviations" on the part of the CRW to "alter[]" the language of the statute in order to offer "policy direction" to the agency. June 10, 2020 CRW Meeting MP3 Audio File at 2:43:12 to 2:45:00. Accordingly, in relevant part, the CRW's purpose statement is not simply an attempt to summarize and condense the statute, but indeed an intentional alteration of it designed to serve the CRW's policy choices. While, as Mr. Panesko advised, those policy choices may not *necessarily* or *expressly* on their face conflict with the agency's statutory mandate, they nonetheless deserve close scrutiny by the Commission to ensure they serve the public interest.

The annual available non-treaty harvest of Columbia River salmon is finite and the allocation of those salmon (and associated ESA-impacts) is not only complex, but often a zero-sum proposition where additional allocation to one sector necessitates a reduction in allocation to another. By including an objective to "enhance" the commercial non-treaty salmon fishing industry, when the express terms of the statute do not require this, the CRW's purpose statement reflects an imprudent policy choice to favor the commercial industry where tradeoffs between sectors (i.e., a reduction in the commercial catch or allocation from pre-reform levels) may be required to optimize overall public benefits, including conservation benefits. This policy choice

is then manifest in the substantive provisions of the CRW's proposed policy where the revisions reinstate gillnets to the mainstem and increase allocations to the commercial sector at the expense of recreational fisheries. In my view, this is not a wise policy choice, nor one in the public interest.

Given the brevity of the Legislature's mandate to WDFW, and to avoid confusion and potential disputes (legal or otherwise) concerning the statute and the Commission's policy objectives, I recommend the Commission revise the CRW's purpose statement in relevant part to use the precise wording of the statute.

If the purpose statement is not revised, in the interest of transparency, the Commission should clarify whether the purpose statement is intended simply to summarize the statute, as Mr. Panesko's comments suggest; or whether, as Commissioner McIsaac stated, the deviations from statutory language are intentional alterations reflecting policy objectives. If the latter, the Commission should explain why those policy choices (e.g., enhancing the commercial fishing industry) are in the public interest given the inherent tradeoffs in the allocation of a scarce and finite public resource.

2. The CRW's Proposed Historical Benchmark, and the Accompanying Policy Recommendations to Reinstate Mainstem Gillnetting and Increase Commercial Allocations, Serve to Institutionalize a Past Status Quo Which Favors Private Commercial Fishing Interests at the Expense of the Recreational Fishery and the Public Interest

As my June 8, 2020, letter explained, in addition to the purpose statement, the "Guiding Principles" section of the CRW's proposed policy also deviates from statutory language.

For the same reasons discussed above with respect to the CRW's proposed purpose statement, the "Guiding Principles" section of the policy should be revised to accurately reflect the Legislature's statutory mandate to the agency.

In addition, and more problematic, the CRW's proposed policy includes a historical benchmark wherein the proposed policy's objective to enhance the economics and stability of both the recreational and commercial fisheries is qualified "in comparison to" the performance of the fisheries in 2010 through 2012.

Mr. Panesko acknowledged the statute contains no such benchmark, but also advised – from a legal perspective – that the statute did not preclude the Commission from utilizing one.

Here again, my primary concern is not whether the inclusion of the benchmark conflicts with the statute from a legal perspective, but whether inclusion of the benchmark reflects good public policy, which it does not.¹

¹ One legal concern I suggest the Commission discuss with agency counsel is this: in *Puget Sound Harvesters Ass'n v. Dep't of Fish & Wildlife*, 157 Wn. App. 935, 945, 239 P.3d 1140 (2010) the court upheld the trial court's invalidation of WDFW's rule setting certain salmon seasons as arbitrary and capricious. The decision rested, in part, on the agency's failure to

Including the benchmark serves to institutionalize the historical status quo by setting a policy objective – enhancing the economics and stability of the commercial fishery – with reference to a past time before the Columbia River Reforms were implemented. In this manner it favors the commercial fishery and impedes progress toward optimizing public benefits where and when changes to the historical status quo are necessary.

In crafting and adopting policy revisions, shouldn't the Commission's objective be to adopt the best policy going forward regardless of what economics or allocations were in 2010-2012, or any other past time period for that matter?

As discussed above, because the resource is finite, tradeoffs that favor one sector over the other are required to serve the public interest and are within the agency's discretionary authority. *Puget Sound Crab Ass'n v. State*, 174 Wn. App. 572, (2013) (agency has flexibility to alter allocation of state's share between recreational and commercial sectors). In my view, recreational fishing on the Columbia mainstem produces greater net public benefits than the competing non-treaty commercial fishery and should be prioritized, even if that means reductions in commercial fishing economics.

Moreover, there is no basis or analysis whatsoever to conclude the pre-Reform 2010-2012 time-period represented some type of public policy optimum in terms of management and allocation of Columbia River salmon between the recreational and commercial sectors. Indeed, the Columbia River Reform package was born out of this period due to longstanding and widespread dissatisfaction with the entrenched management norms (the "Lords of Yesterday")² that favored commercial fishing interests and their non-selective gillnet methods. The Reforms were just that – "reforms" of an outdated paradigm in order to reflect a new management vision – or in the words of WDFW's new strategic plan, "a path for a new era."

rationality satisfy its stated management objectives. Here, the CRW's proposed policy contains management objectives to "maintain and enhance" both the "recreational and commercial fishing industries" (purpose statement) and to "enhance the overall economic well-being" of recreational and commercial fisheries "in comparison to that yielded by the policies in place" from 2010 to 2013 (guiding principles). Yet, looking at the economic forecast provided by the Oregon Department of Fish and Wildlife (ODFW) to the CRW (and comparing the "no policy" metric with the other alternatives), the proposed policy does not appear likely to achieve the "enhance" nor perhaps even "maintain" objectives for the commercial fishery when measured in comparison to the historical benchmark. Does this internal inconsistency pose and issue? More specifically, would there be significant litigation risk should a rule be promulgated which both incorporates the policy's objectives, and which implements the specific management measures prescribed in the policy (e.g., abundance based management allocation percentages), but which did not result in enhancement of the commercial sector's ex vessel values in comparison to policies in place in 2010 to 2012?

² The "Lords of Yesterday" is a term coined by noted scholar and law professor Charles Wilkinson to describe outdated natural resource laws, norms, policies, and practices that served the West while it was being developed, but which have long since outlived their usefulness.

The historical benchmark is a symptom of the backwards looking approach that infected the entire CRW process. As Commissioner McIsaac explained, when the proposed policy refers back to the 2010-2012 period benchmark, it is referring back to time before “new initiatives” (i.e., the Columbia River Reforms) were tried and, in his view, “many of which failed.” *See* June 10 CRW Meeting, MP3 Audio Recording at 2:45:00 to 2:46:24. Thus, instead of responding to policy challenges by looking forward – i.e., by charting a “path for a new era” that seeks to optimize public benefits notwithstanding past practices – the CRW’s approach is to retreat to the pre-Reform status quo that favors entrenched commercial interests over recreational use.

The CRW’s proposed revisions, including the benchmark and the provisions to reinstate gillnetting during the spring and summer and reduce recreational fishing allocation priorities, thus reflect an attempt to dismantle the Reform package, and should be rejected by the Commission.

As an alternative to the CRW’s backwards looking approach, I suggest the Commission consider an approach analogous to the Legislature’s recent directive to the agency to develop a zero-based budget. Zero-based budgeting is an analytical approach wherein all expenses must be justified based on what is needed for current and future periods, regardless of budgets and expenses in the past. No expenditure is deemed acceptable simply because it is reflective of the status quo. This approach is especially useful to address the tendencies of bureaucracies to resist change and favor entrenched interests, and it is in keeping with WDFW’s strategic directive of charting a “path for a new era.” Moreover, it is especially applicable to the commercial fishery, because the commercial fishery is a private, for profit use of a public resource (in contrast to the recreational fishery which is a public use of a public resource) and therefore requires greater scrutiny and justification to ensure that finite public resources are being allocated and utilized to efficiently produce public benefits.

I would thus recommend the Commission jettison the CRW’s historical benchmark, and the proposed revisions the CRW recommended in service of that benchmark, and instead ask: notwithstanding past management practices, what is the best policy moving forward that satisfies the agency’s statutory mandate, serves the agency’s strategic plan, and which optimizes net economic and social public benefits?

To this end, I have adapted a number of the Legislature’s questions to the agency in connection with its zero-based budget directive, and have added others of my own that may be informative for the Commission to consider.

1. How do the CRW’s proposed revisions fit with WDFW new strategic plan and goals? I addressed this point directly in my July 31, 2020 comments which are attached and hereby incorporated by reference.

2. What are the costs and benefits of the proposed revisions. The CRW process appears to have failed to produce any type of benefit/cost analysis notwithstanding that numerous authorities suggest benefit/cost analysis is necessary to make informed allocation decisions. *See e.g.*, NOAA, National Marine Fisheries, Fisheries Allocation Review Policy, 01-119, renewed 2018, p. 7 (“Cost-benefit analyses should be used to estimate how a proposed allocation would

change consumer and producer surplus (i.e., net economic benefits).”), avail. at <https://www.fisheries.noaa.gov/national/laws-and-policies/allocation-fishery-resources>. This is especially important with regard to the commercial fishery, which represents a highly publicly subsidized private, for-profit use of public resources. I hypothesize that if the direct and indirect public costs of the non-treaty commercial fishery (e.g., management, enforcement, enhancement, research, and opportunity costs) were compared to its public benefits, the result may be in the negative.³ At minimum, the Commission should request staff to provide the cost of management, enhancement, monitoring, research, enforcement, and other items attributable to the commercial non-treaty Columbia River salmon fishery, along with revenue received from commercial fishing licenses and landing fees. Given the Legislature’s zero-base budget directive that agency programs be evaluated, the agency should be able to provide the Commission with this information.

3. Who are the intended beneficiaries of the commercial fishery and what benefits actually reach intended recipients? Who does WDFW intend to benefit by allocating public fishery resources to non-treaty commercial fishers and subsidizing this fishery with public funds expended on management, enforcement, enhancement and research? Are the handful of private commercial fishers the intended beneficiaries of this public support – does WDFW allocate fishery privileges as a form of social welfare? If not the commercial fishers, then whom? Fishery-dependent communities? Are any counties or municipalities in southwest Washington truly dependent on the non-treaty Columbia River commercial salmon fishery? I doubt it, but staff could be tasked with comparing the economic contribution of the fishery to the gross economic product of various counties and municipalities in southwest Washington for an objective analysis.

How about consumers of salmon? The non-treaty Columbia River commercial salmon fishery is often justified as providing access to fresh salmon to consumers who do not fish themselves. Yet I am unaware of any analysis whatsoever that attempts to objectively measure the impact of the fishery on the price or availability of fresh salmon in the marketplace. Given the relatively small volume of the fishery, and the substantial amounts of fresh salmon, including Columbia River salmon, that are readily available from other sources (including tribal and ocean fisheries), I suspect the benefits to consumers are minimal at best. Moreover, the commercial fishers don’t give the fish away – they are sold at a fair market value to those who are able and willing to pay the most for them. Thus, whatever consumer benefits are provided, access to those benefits comes at a price that often excludes a large segment of the public. Indeed, WDFW staff has indicated that spring Chinook was recently selling for \$50 per pound, which begs the question: is the commercial fishery producing “salmon for all” or “salmon for the rich.” It is also interesting

³ The Commission should avoid confusing economic impacts (such as personal income impacts as used in ODFW’s economic analysis) with economic benefits, as the two metrics measure different things and are useful for different purposes. Yet they are often confused. *See Puget Sound Crab Ass’n v. State*, 174 Wn. App. 572, (2013) (“the Department arguably confused net economic value with personal income”).

to consider, while commercial fishers sell their catch at fair market value, why does the public not demand commercial fishers pay a fair market price when publicly owned resources are allocated to their exclusive commercial use? I understand timber on state lands is sold through a competitive process, as is offshore oil and gas under federal jurisdiction. Why not salmon?

4. What are the Washington-specific differences between the CRW’s proposed policy and Oregon’s current policy?

A large number of recreational and conservation stakeholders have recommended the Commission revise its policy to match the current policy in Oregon.

Accordingly, the Commission should directly compare the CRW’s proposed policy with Oregon’s current policy in terms of meeting key policy objectives. For example:

- **Concurrency/Orderly Fisheries** – matching the current Oregon policy would achieve concurrency and allow for orderly fisheries; the CRW’s proposal would not.
- **Conservation** – by allowing gillnets to return to the mainstem and allowing greater non-selective harvests, especially on spring, summer and Tule fall Chinook, the CRW’s proposal falls below Oregon’s policy in terms of conservation benefits.
- **Strategic Plan Objectives** – as discussed in my July 31 comments, the CRW’s proposed policy undermines the agency’s strategic plan objectives.
- **Treaty Rights** – both policy options satisfy treaty rights.
- **Maintain the economic well-being and stability of the fishing industry in the state** – it is important to note here that the agency’s statutory mandate does not speak in terms of specific sectors, nor geographic regions, nor species-specific fisheries. By its plain language, the statute concerns the “fishing industry in the state,” which would thus include the state-wide combined commercial and recreational sectors. *See Puget Sound Crab Ass’n v. State*, 174 Wn. App. 572, (2013) (confirming WDFW’s interpretation that “fishing industry” includes both recreational and commercial fishing interests). Viewing the statute in this light, both policies appear to satisfy this statutory objective in terms of maintaining the well-being and stability of the overall fishing industry in the state. Under the CRW’s policy, however, without concurrency the year-to-year stability of Columbia River non-treaty salmon fisheries may suffer. Not only will annual management be more challenging and uncertain, but, in addition, the Commission should anticipate substantial political pushback from Washington recreational anglers, the result being continual political disputes and upheaval regarding the non-treaty fishery. This will be detrimental to the stability of both the commercial and recreational sectors. In contrast, if the Commission were to match Oregon’s policy, there would likely be “smooth sailing” in terms of stability for the foreseeable future. With regard to the economic well-being of the non-treaty commercial salmon industry, the Oregon policy, by allowing mainstem harvests in the fall and supporting enhanced off-channel production, will provide sufficient ex-vessel value to maintain its well-being. Economic ills in the commercial sector could also be addressed by reducing its overcapitalization and modernizing its structure. Moreover, the well-being of the recreational fishing industry

would improve if Washington matched the Oregon policy, which would offset any loss in the commercial sector in terms of impact to the fishing industry as a whole.

- **Enhance and improve recreational and commercial fishing in the state** – while the CRW’s proposed policy may marginally improve the commercial sector’s ex-vessel value (and the Commission should ask staff for an estimate of the difference in Washington commercial license holder ex-vessel value between the CRW’s proposal and the current Oregon policy),⁴ it would also result in the annual loss of thousands of recreational trips and thereby negatively impact – rather than enhance or improve – the recreational fishery. Moreover, adoption of the CRW’s policy may, as ODFW has cautioned, jeopardize funding for select area hatchery enhancements for the commercial sector. Thus, on balance, fishing in the state is improved by matching Oregon’s current policy, while adoption of the CRW’s recommendation may result in less “salmon for all.”
- **Net Economic and Social Benefits** – as discussed above, when the direct and indirect publicly subsidized costs of the commercial fishery are compared to its benefits (including marginal benefits to retail consumers), it is likely the non-treaty commercial salmon fishery will provide little or no net public benefits. On the other hand, the recreational salmon fishery on the Columbia River provides substantial economic, social, and cultural benefits, including enhanced quality of life, for tens of thousands of residents annually and supports a locally important sport fishing industry. And the public costs of the recreational fishery are offset to a large degree by licenses fees and taxes on sport fishing equipment.

⁴ I suspect the annual difference in commercial ex-vessel value for Washington commercial fishers will be less than \$150,000, and more likely around \$100,000, perhaps even less. These figures should be confirmed with staff. I also suspect the Policy Review Committee and CRW processes cost considerably more than this. Which calls in to question whether this whole political and policy brouhaha is much ado about very little – that is unless millions are again lost from the agency’s budget, as occurred as a result of the Commission’s ill-advised March 2019 decision.

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: Contact the Commission: Commission Meetings
Date: Monday, August 31, 2020 7:39:15 AM
Attachments: [8.30.20 cmts WDFW re Econ Dependent.pdf](#)

From: Brian McLachlan <bamclachlan@hotmail.com>
Sent: Sunday, August 30, 2020 9:19 AM
To: Commission (DFW) <COMMISSION@dfw.wa.gov>
Subject: Contact the Commission: Commission Meetings

Name	Brian McLachlan
Email	bamclachlan@hotmail.com
Address	7310 SW Ashdale Drive Portland OR 97223
Phone	703-300-5940
Subject	Commission Meetings
Message	Please find additional comments re Columbia River salmon fishery management policy
Attachment	https://www.123formbuilder.com/upload_dld.php?fileid=5cd694cc425f27643f91fe414731a01a

The message has been sent from 24.20.186.166 (United States) at 2020-08-30 12:18:39 on Chrome 85.0.4183.83
Entry ID: 2394

Brian McLachlan
Portland, Oregon
August 30, 2020

Washington Fish and Wildlife Commission
Submitted via <https://wdfw.wa.gov/about/commission/contact>

Re: Additional Comments regarding Columbia River non-treaty salmon fisheries policy:
Fishery-Dependent Communities

Dear Commissioners:

The Columbia River Workgroup's (CRW) proposed policy includes an objective to "seek to provide the maximum fishery stability and predictability possible for fishery-dependent local communities." CRW Recommendation June 10, 2020, p. 5. The term "fishery-dependent local communities" is not defined.

In addition, advocates for the commercial sector have argued that the Columbia River non-treaty commercial mainstem gillnet fishery is an important contributor to local economies in southwest Washington and that local communities are being adversely impacted by the Columbia River Reform policies.

In my August 28, 2020, comment letter, I questioned whether any counties or municipalities in southwest Washington were truly economically dependent on the Columbia River non-treaty commercial salmon fishery.

I provide this supplemental testimony to expand on that topic.

A 2008 economic analysis prepared for WDFW found the economic contribution of Washington's in-state non-treaty commercial and recreational fisheries to the overall state economy to be "relatively small," accounting for only 0.4 percent of statewide employment and 0.2 percent of total statewide personal income in 2006. TCW Economics 2008 at ES-1, 24.¹ The report found that recreational angling generated a larger share of economic impacts compared to commercial fisheries and supported more than three-quarters of the fishing-related jobs. *Id.* at ES-1. The report further indicated that the ex-vessel value of salmon harvested in the lower Columbia River by the Washington non-treaty commercial sector in 2006 was \$1,014,500, which amounted to only 1.6% of the total overall value of Washington State commercial fisheries. *Id.* at 8-9.

Another economic analysis prepared for WDFW, ODFW and the Bonneville Power Administration reported that the commercial fishing industry as a whole contributed

¹ TCW Economics. 2008. Economic analysis of the non-treaty commercial and recreational fisheries in Washington State. December 2008. Sacramento, CA. With technical assistance from The Research Group, Corvallis, OR., ES-1, 24.

approximately 10% of all personal income in the Astoria area in 2003. The Research Group, 2006 at IV-5.² But the non-treaty commercial salmon gillnet fishery produced only about 7% of all commercial fishing harvest revenues in the area. Accordingly, the report found this fishery to be a relatively “small” contributor to the Astoria/Ilwaco fishing area. *Id.* at xxvii. The report further showed that “the share of gillnet salmon fishery generated personal income at the local level is 0.3 percent of net earnings, and net earnings is 58 percent of total personal income in Clatsop and Pacific counties.” *Id.* at VII-5.

The economic reports discussed above suggest the Columbia River non-treaty commercial gillnet salmon fishery is at best an exceedingly small component of local economies in southwest Washington. This begs the question of whether any counties or municipalities in southwest Washington are truly dependent on the non-treaty commercial gillnet fishery, let alone likely to be materially impacted by any difference between the economics resulting from the CRW’s proposed policy versus the approach currently embodied in the Oregon rule (especially when offset by increases in recreational fishing activity).

At minimum, if included in policy the term “fishery-dependent local communities” should be defined by an objective measure. Better still, in order to evaluate how the CRW’s proposed policy may – or likely may not – materially impact local economies in southwest Washington as compared with the current Oregon rules, and to determine whether any communities are economically dependent on lower Columbia River non-treaty commercial and/or recreational salmon fisheries, I recommend the Commission request WDFW staff to provide the Commission and public with the following information:

1. The annual ex-vessel value of salmon landings from the Columbia River for the last 10 years by Washington State non-treaty commercial fishers. This information should be broken out by season, species, and mainstem versus select area landings.
2. The economic contribution for the last 10 years to Washington State from recreational salmon fisheries in the Columbia River. This information should be broken out by season, species, and mainstem vs. tributaries.
3. A comparison between the CRW’s proposed policy and the current Oregon rules in terms of (a) forecasted ex-vessel value for Columbia River landings by Washington State commercial non-treaty salmon fishers (broken out by season and species) and (b) forecasted economic contributions to Washington State from recreational angling associated with Columbia River salmon fisheries (broken out by season and species).
4. The gross economic product of each of Pacific, Wahkiakum, Cowlitz, Clark, and Skamania Counties, and the municipalities of Vancouver, Longview/Kelso, Cathlamet, and Ilwaco.

² The Research Group. Select Area Fishery Evaluation Project, Economic Analysis Study, Final Report. Prepared for Bonneville Power Administration, WDFW & ODFW. November 2006, at IV-5.

5. The percent of gross economic product for the above-listed counties and municipalities that is attributable to (a) the lower Columbia mainstem non-treaty commercial salmon fishery and (b) the Columbia River recreational salmon fishery.