



## UPPER SKAGIT INDIAN TRIBE

25944 Community Plaza Way  
Sedro-Woolley, WA 98284  
(360) 854-7000

### TESTIMONY AND STATEMENT OF THE UPPER SKAGIT INDIAN TRIBE

Delivered by  
SCOTT SCHUYLER, POLICY REPRESENTATIVE

Delivered April 8, 2016

Dear Members of The Pacific Fisheries Management Council, The Upper Skagit Indian Tribe has substantial concern about and objects to the position and the current discussion / proposal concerning the 2016 Skagit-origin Coho fisheries. The parameters and needs of the Coho runs into the Puget Sound region have been scientifically analyzed by a scientist recognized by all parties as an expert on such matters and, at the time of the analysis, was the leading fisheries expert employed by one of the tribes that currently proposes a 2016 Coho fishery regime that presents the prospect of dire consequences for the survival of this and future Coho runs. All of you knew that expert, Bob Hayman, and his dedication to the protection of both the salmon and the interests of Treaty fishing in Puget Sound and the terminal areas of Puget Sound.

In 2000, and again in Mr. Hayman's 2009 Memo to the Coho TC, he analyzed the needs and dangers associated with wild Coho returns to the Skagit River terminal area (which analysis for hatchery Coho is equally applicable to all terminal areas in Puget Sound). Of course, all agree that ocean conditions and marine survival in recent years are significantly worse than when this analysis was performed (2009), but Mr. Hayman's analysis is like the proverbial canary in the coal mine when it comes to reviewing the danger of the current proposals for Coho directed or incidental harvest.

Mr. Hayman's analysis, in part, was directed at a determination of the critical / low breakpoint affecting wild Coho survival. Critical / Low Breakpoint is defined under the Comprehensive Coho Management Plan – Abundance Breakpoints as the “escapement level below which an unacceptable risk exists (resulting from population instability, unpredictability, or productivity) that the abundance will be less than the low / normal breakpoint in one to three cycles”. Based upon his analysis of the data concerning wild Coho escapement requirements, Mr. Hayman determined that under his Method 1 the critical / low breakpoint for Coho run preservation was between 13,000 and 18,000 Skagit wild Coho for spawning and run preservation. Moreover, his analysis using what he described as Method 2 yielded a determination of the critical / low breakpoint of 15,000 to 16,000 Coho which was in the range of the Method 1 determination. His final recommendation, which has been accepted as the basis for all analysis, was for critical classification threshold when predicted spawning escapement of Skagit-origin coho is below 16,000 wild adult spawners.

What does the Hayman analysis mean in terms of an analysis of the point of destabilization of the Coho run and the current proposals? Not only does the preseason forecast wild coho ocean abundance of 8,912 wild Coho fall significantly below the scientifically analyzed critical / low breakpoint, but the current proposal considers taking up to 20% (10% SUS and up to 10% Canadian fisheries) of the preseason forecasted return in 2016. This would result in a spawning escapement of approximately 7,800 Skagit-origin wild coho. This fact and the analysis prompted by Mr. Hayman leads to a clear, scientific

determination that the critical / low escapement breakpoint in the 2016 Coho fishery season means that the maximum possible wild spawning escapement will be far below the point of destabilization and that any fisheries which impact wild Skagit-origin coho will drive the spawning escapement still further below “the escapement level below which an unacceptable risk exists ...”.

The current harvest proposal, to which the Upper Skagit has objected and continues to object, leads to the unavoidable conclusion that we will realize escapement far below the point of destabilization for this run. This analysis puts all parties to these proceedings and determinations on notice that what the current proposal of taking up to 10% (SUS) of these Coho will serve to further exceed the point of destabilization and could lead to dire future consequences.

Upper Skagit is not only concerned with the effect of the current proposal on escapement in its Skagit River terminal area, but also concerned with the impacts on other terminal areas which, like the Skagit River, have not achieved and will not achieve the escapement requirements of their terminal areas for either wild or hatchery coho.

Upper Skagit understands that the current proposed regime also endangers escapement requirements for South Sound coho wild and hatchery stocks. This means that the dire consequences from run destabilization for Coho runs throughout Puget Sound’s terminal areas are a widespread concern that must be addressed by appropriate pre-season planning of impacting fisheries. Upper Skagit urges that the PFMC parties, the State, the Federal Government and the Tribes, not forgo the future for a short term need.

The Upper Skagit Tribe submits that ***the projected return of wild coho salmon to the Skagit River is far below the level below which an unacceptable risk exists and that the abundance will be less than the low/normal breakpoint in one to three cycles.*** Based on the established best management practices, biological considerations, and the forecast return far below the “critical” abundance threshold, The Upper Skagit Indian Tribe contends that the minimum required escapement of natural spawners to the Skagit River is 16,000 adults and that all fisheries should be managed to achieve the maximum possible escapement to spawning and avoid run destabilization.