

**TESTIMONY OF THE COLUMBIA RIVER TREATY TRIBES  
BEFORE PACIFIC FISHERIES MANAGEMENT COUNCIL  
April 10, 2013  
Portland, OR**

Good day, Madam Vice Chair and members of the Council. My name is Wilbur Slockish Jr. I am treaty fisherman on the Columbia River. I am here with Bruce Jim and Herb Jackson to provide a statement on behalf of the four Columbia River Tribes, the Warm Springs, Yakama, Umatilla and Nez Perce Tribes.

The Columbia River Tribes would like to discuss a couple of issues before the Council.

Earlier this week we were able to have a discussion with the states of Oregon and Washington that covered a wide range of topics. We appreciate the opportunity to have these discussions and hope they continue into the future.

Regarding the Council's earlier discussion on in-season management, the tribes support the Council's effort to clarify how in-season ocean fishery adjustments will be done to ensure any fishery changes are impact neutral. The tribes strongly support working towards protocols where mark selective fisheries could be changed to full retention fisheries.

While we support the Council's efforts to clarify in-season fishery adjustments, the Columbia River tribes can not concur with the impact assessment presented by the STT on ESA listed lower river coho or on Lower River tules. These impact assessments are based in part on modeled impacts in mark selective Lower Columbia River sport and commercial fisheries. We do not accept the assumed release chinook sport release mortality rate of 19% for in-river fisheries, nor do we accept the assumed release mortality rate for the coho commercial tanglenet fishery of 13.6%. These rates are not scientifically based or based on any actual research in the Columbia River. Tribal staff are not able to determine if they are reasonable and we believe that the impact calculations based on these rates are little more than guesswork.

We are surprised that NMFS, in its role of ensuring that ESA impacts in fisheries are not exceeded, casually accepts the states "guess" at release mortality rates for the lower Columbia River. We believe that sport release mortality rates in the estuary where fish are making the transition from salt to fresh water may be much higher than the states are assuming. The relationship between immediate mortality and longer term mortality in the spring tanglenet fishery suggests that mortality may be higher than current estimates for the fall coho tanglenet fishery. The tribes have asked the states repeatedly for comprehensive analysis and research on

actual catch and release mortality rates in Columbia River fisheries and do not accept their excuses that the studies are too difficult and too expensive to conduct. These data are an essential component to managing the fishery and the research must be done before mark selective fisheries are implemented.

The tribes would also like to remind the Council that the assumed mark rates for Columbia River stocks in both ocean and in-river fisheries are little more than guesses. Relying on guesswork increases the likelihood of uncertainty for management. If we are wrong about the mark rates, managers will be wrong about our predictions of impacts for proposed fisheries. We also remain concerned about multiple encounters by salmon in what is becoming a string of mark selective fisheries. The Tribes believe that a precautionary adjustment needs to be incorporated in to the impact calculations to account for salmon being caught and released in multiple fisheries.

Our final issue that we would like to bring to your attention is the in-river modeling tools. Tribal staff have spent some time reviewing the fall in-river chinook model but have had less time to review the inrivercoho model. The models have been under constant construction and in use for the past month. It is more difficult to properly review models while they are being used with new model runs sometimes more than once per day. The tribes raised questions on how in-river fall season mark selective fisheries would be analyzed months ago. The methods for analyzing mark selective fall season fisheries should have been reviewed long before the pre-season planning process. It is not appropriate to be setting mark selective fisheries before we have finished discussing the technical aspects of how they are modeled. Access to working models prior to planning the fall season fisheries would have made the process much easier. Although we may appear frustrated, the tribes are committed to the *U.S. v. Oregon* process and will continue to direct our staff to analyze and provide input into these models through the *U.S. v. Oregon* Technical Advisory Committee process. We also expect the issue of mark selective fall in-river fisheries to be discussed further at our May *U.S. v. Oregon* meeting.

The tribes find the expansion of the in-river mark selective fisheries under Governor Kitzhaber's re-allocation process disheartening. The proposed changes will do nothing to promote actual wild salmon restoration. These changes in the lower river fisheries just move impacts between user groups. The changes rely on faulty economic claims. They don't save fish and have the effect of increasing uncertainty in management.

We believe that a truly collaborative process that has co-managers working together to increase abundance is the best route forward for Columbia Basin fish populations. Squabbling over scraps is not the best way to meet the needs of the fish and provide good fishing opportunities for everyone.

This concludes the tribal statement,

Thank you