

*Administrative Record*

**TESTIMONY OF  
THE COLUMBIA RIVER TREATY TRIBES  
BEFORE PACIFIC FISHERIES MANAGEMENT COUNCIL  
April 11, 2002  
Portland, Oregon**

Good afternoon Mr. Chairman and members of the Council. My name is Harold Blackwolf. I am a member of the Fish and Wildlife Committee of the Warm Springs Tribes. I am here today to present comments on behalf of the four Columbia River treaty tribes: the Yakama, Warm Springs, Umatilla and Nez Perce tribes.

The 2002 fall chinook forecasts in the Columbia are improved this year which should provide for reasonable fishing opportunities in river this year.

The Council heard a presentation from the National Marine Fisheries Service on Tuesday concerning the disastrous flow and spill conditions in the Columbia in 2001. Because of this, the tribes are very concerned about whether we will have any fish in the next few years. Already spring chinook jack counts are considerably less than long term average counts for this time of year. This is simply the first indication of possible problems ahead because of NMFS' failure to ensure the hydro-system minimize juvenile mortality.

The benefits of power generation in the Columbia basin to the non-Indian population has been great. The cost of this has been enormous to Indian people, both culturally and economically.

The presentation on Tuesday should make it clear to everyone that the NMFS Biological Opinion on the Federal Hydropower System is already a complete failure. NMFS obviously only expects fishermen to pay the price of conservation. In the next few years, treaty and non-treaty fishermen will pay the price for NMFS' failure to ensure the Hydropower system do its part for conservation.

During the presentation on Tuesday, NMFS indicated that they anticipate what they term "full Bi-Op spill" in 2002. This is not entirely accurate. They are not proposing spill at Lower Monumental Dam because repairs are needed for the spill apron.

Even the term "full Bi-Op" spill is misleading. The spill levels proposed in the Bi-Op are inadequate to protect juvenile salmon. The Columbia River tribes have proposed a 2002 River Operation Plan that includes more protective levels of spill. The federal government has so far refused to consider it.

Over the years, the Columbia River Tribes have proposed numerous strategies to ensure the recovery of salmon to harvestable levels. The federal government has consistently ignored us and both treaty and non-treaty fishermen pay the price.

The Federal government has the legal obligation under federal law **to restrict other** activities that impact listed species **before** restricting the Columbia River treaty Indian fishery any further. This must be done to **comply** with the conservation principles established in *United States versus Oregon*. **Until everyone**, Indian and non-Indian, can resume fishing at its full potential, we can not forget the work that we have to do **together** to recover all salmon and steelhead runs for our future generations.

This concludes my statement. Thank You.

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The Council heard a presentation from the National Marine Fisheries Service on Tuesday concerning the disastrous flow and spill conditions in the Columbia in 2001. Because of this, the tribes are very concerned about whether we will have any fish in the next few years. Already spring chinook jack counts are considerably less than long term average counts for this time of year. This is simply the first indication of possible problems ahead because of NMFS' failure to ensure the hydro-system minimize juvenile mortality.

TESTIMONY OF TERRY COURTNEY, JR. Traditional fisherman, <sup>F/W</sup> ~~Commissioner~~ commissioner,

The benefits of power generation in the Columbia basin to the non-Indian population has been great. The cost of this has been enormous to Indian people, both culturally and economically.

*To have harvest, we just should really be discussing fish restoration or supplementation. We hope all parties involved will be looking ahead to the future for the fish & fishermen.*

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*There are some people and organizations that could care less*

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*what actually happens to our fish and the Columbia River. ~~Be aware~~ The Columbia River is the life line to the Tribes of the Northwest. Thank You.*

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The 2002 fall chinook forecasts in the Columbia are improved this year which should provide for reasonable fishing opportunities in river this year. *However, due to ESA constraints, the Tribes will not be able to achieve a full harvestable share.*

The Council heard a presentation from the National Marine Fisheries Service on Tuesday concerning the disastrous flow and spill conditions in the Columbia in 2001. Because of this, the tribes are very concerned about whether we will have any fish in the next few years. Already spring chinook jack counts are considerably less than long term average counts for this time of year. This is simply the first indication of possible problems ahead because of NMFS' failure to ensure the hydro-system minimize juvenile mortality.

The <sup>benefits</sup> ~~cost~~ of power generation in the Columbia basin to the non-Indian population has been <sup>great</sup> ~~relatively small~~. This cost has been enormous to Indian people, both culturally and economically.

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