

**TESTIMONY OF  
THE COLUMBIA RIVER TREATY TRIBES  
BEFORE PACIFIC FISHERIES MANAGEMENT COUNCIL  
MARCH 9, 2004  
Tacoma, WA**

Good afternoon Mr. Chairman and members of the Council. My name is Terry Courtney Jr. I am a member of the Fish and Wildlife Committee of the Confederated Tribes of the Warm Springs Reservation of Oregon and a treaty fisherman on the Columbia River. I am here today to provide Testimony on behalf of the four Columbia River treaty tribes: the Yakama, Warm Springs, Umatilla and Nez Perce tribes.

The fall chinook forecasts for Columbia River stocks continue to be strong. The upriver bright forecast is the 4<sup>th</sup> consecutive year over 200,000 and the 4<sup>th</sup> largest run since 1964. While the Spring Creek Hatchery Tule is down from the returns in the last two years, it is still more than double the 10 year average. However impacts on Snake River fall chinook will likely limit both in-river fisheries and ocean fisheries.

The forecast for Columbia River coho suggests a relatively strong return. According to recent management agreements for upper Columbia River coho, 50 percent of the upriver coho must be passed to the treaty fishing area upstream of Bonneville Dam. We expect the states to monitor and include **all** sources of non-Indian fishery mortalities in the ocean and the lower river to **ensure** the adequate passage of coho past Bonneville Dam in order for the tribes to have the opportunity to harvest their share of the coho and to assist with rebuilding upriver coho populations.

The Columbia River tribes continue to question the utility of mass marking and selective fisheries as a long-term recovery strategy. WDFW and IDFG submitted terminal area selective fishing proposals for Snake River fall chinook to the PSC Selective Fishery Evaluation Committee in December. Since that time these agencies have not discussed these proposals with the tribes. The Columbia River Tribes are concerned about WDFW and IDFG

proposals and are interested to know their status. These fishery proposals will largely target the same returning supplementation fish that have been responsible for the increased runs sizes of Snake River fall chinook that we have seen in recent years. Such fishery proposals can only serve to reduce the effectiveness of the supplementation program and delay or prevent recovery of this stock that drives ocean and in-river fisheries. These selective fishery proposals if they are implemented will have a direct and negative effect on ocean fisheries by slowing the recovery of this stock.

The idea of selective fishing as a way to address wild stock concerns is seductive because it diverts attention from the real problem: low wild fish survival. In practice, selective fisheries have not reduced harvest rates on wild fish, but maintained the same overall harvest rate on the wild fish while expanding the harvest of hatchery fish. Managing this way does not reduce the number of dead wild fish. Managers are so interested in figuring out how to mass mark salmon that they haven't stopped to consider the longer term implications. Our experience with steelhead in the Columbia River indicates that mass marking and selective fishing by itself will not restore wild runs. It **is not** prudent to move ahead with mass marking and selective fishing for chinook.

We have seen cuts in Mitchell Act production of coho at Willard Hatchery and in the CEDC program. This is because funding is flat and it costs a lot to mass mark all the fish. If we didn't spend so much money marking fish, we would be able to produce more of them. Recent legislation from Congressman Norm Dicks of Washington requiring the mass marking of all Federally funded chinook, coho, and steelhead in Washington, Idaho, Oregon, and California will likely have the effect of reducing hatchery production. While the Congressman has made promises to find the money to do this, it is unlikely that he will be entirely successful and very likely we will have to cut production to pay for this unnecessary scheme.

There is an additional issue in the Columbia basin that is likely to have adverse effects on ocean fisheries. This is the Bonneville Power Administration's effort to eliminate summer spill at the Federal hydropower projects. We are very concerned that the National Marine Fisheries Service

will allow this proposal to go forward. In the 2000 BiOp, the Federal Government seemed determined to always place the wishes of the hydro-power operators over the needs of the fish and the rights of the fishermen. Eliminating summer spill will mean that even more juvenile salmon will be killed while passing through the turbines of the dams. It is simply an unjustifiable proposal given the status of Columbia River salmon stocks and current fishery limits.

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.

As the Council considers various fishery options over the next month, it should consider the following management principles.

Harvest rates must account for **all** sources of mortalities including mortalities in groundfish fisheries and non-harvest mortality and the harvest rates be sustainable and support rebuilding of weak and depressed stocks.

Non-tribal river and ocean fisheries **must** allow sufficient escapement so the tribes can harvest their fair share of the harvestable fish. The allocation between tribal and non-tribal fisheries must include mortalities from all sources, not just fishery mortalities.

**Habitat** protection and restoration and stock supplementation must be a part of the long term solution.

This concludes my statement. Thank You.