

Stuart Ellis / Bruce Jim

Agenda C.2.e
Tribal Recommendations

**TESTIMONY OF
THE COLUMBIA RIVER TREATY TRIBES
BEFORE PACIFIC FISHERIES MANAGEMENT COUNCIL
MARCH 8, 2004⁰⁵
Sacramento, CA**

3/8/05
1:45 pm

Good afternoon Mr. Chairman and members of the Council. My name is Bruce Jim. 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 *U.S. v. Oregon* parties have reached agreement on a three year Interim Management Plan for 2005-2007 Columbia River fisheries. This eases the pre-season planning process for the states and tribes since we have agreement over the allocation of in-river fisheries. The states and tribes have recently submitted a Biological Assessment of proposed fisheries in this agreement and anticipate that NMFS will complete a Biological Opinion by late April.

The fall chinook forecasts for Columbia River stocks continue to be strong. The upriver bright forecast is the 5th consecutive year over 200,000 and the 4th 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 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 modest return. Failure of Congress to adequately fund the Mitchell Act is a contributing factor to reduced coho forecasts in the Columbia. 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 ensure adequate numbers of coho return assist with rebuilding upriver coho populations and so the tribes

will have the opportunity to harvest their share of the coho

The Columbia River tribes continue to question the utility of mass marking and selective fisheries as a long-term recovery strategy. In stead of utility, we believe a more appropriate word is "Futility". 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. Not reducing the number of dead wild fish is the real problem with selective fisheries. 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 are concerned about our ability to measure the impacts adequately from proposed selective Chinook fisheries in the Strait of Juan de Fuca and the risks this poses to the coast wide Coded Wire Tag program.

We would like to report that in part because of good ocean survival but also in large part to tribal restoration programs for Snake River Fall Chinook, approximately 15,000 Snake River fall Chinook reached Lower Granite Dam in 2004. While we don't have a final estimate of wild fish, we expect that about 4,000 of these fish were wild. The states, federal government and tribes are now working cooperatively on long term supplementation of Snake River fall Chinook, and this program is providing benefits to both tribal and non-tribal fishers.

There is an additional issue in the Columbia basin that is likely to have adverse effects on future ocean fisheries. The extremely low snowpack in the Columbia basin will mean lower flows this summer. Water is needed to safely carry juveniles to the ocean. The tribes are concerned that the Bonneville Power Administration choose energy production over fish again and will provide inadequate flows and little spill as was done in 2001. The very low flows in 2001 did have an adverse affect on juvenile fish. We were only spared

significant fishery effects due to strong year classes on either side. The tribes are concerned that the Federal Government will again try 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. The Federal Government has 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 tribes do not want to see increased bargaining as the only response to low flows.

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 needs continued protection and restoration and stock supplementation must be a part of the long term solution.

This concludes my statement. Thank You.

