



Northwest Indian Fisheries Commission

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Statement from the Western Washington Treaty Tribes on the NMFS Guidance for ESA-Listed Chinook

The Western Washington Treaty Tribes are concerned about the risk of exceeding Chinook total exploitation rate limits contained within the National Marine Fisheries Service (NMFS) 2021 salmon letter¹ to PFMC due to inconsistent application of the Endangered Species Act (ESA) guidance. Several Puget Sound stocks are to be managed by a total exploitation rate limit. NMFS directs that tribal and state fisheries must be managed to ensure that these limits are achieved for the aggregate of all fisheries, including Southeast Alaska, Canada, Washington, Oregon, and California. Uncertainty in the ability to stay within those limits arises should Alaska take in-season action to change their gear allocation distribution and spatial/temporal fishery footprint from what was present pre-season without consideration of stock impacts, as they did last year. This contrasts with management requirement for fisheries in Washington waters where if a significant in-season adjustment is contemplated, then the proposed action must include a technical assessment to ensure it is impact neutral to stocks of concern.

In 2020, Alaska deviated from the preseason gear sector allocation and traditional fishery footprint for their Southeast Chinook fishery without consideration of differences in stock or age composition between gear type, location, or season. If this gear allocation and spatial/temporal footprint had been modeled for this fishery during the 2020 preseason planning process, the final PFMC/North of Falcon package would have required further constraints to achieve the ESA Guidance for Stillaguamish Chinook.

During the PFMC and North of Falcon preseason planning process, tribal and state co-managers will spend the next six weeks negotiating a salmon season structure to achieve compliance with the NMFS ESA guidance. All the work devoted to the development of this fishery package will be for naught if Alaska can unilaterally make in-season adjustments to the Southeast Alaskan Chinook fishery.

This also raises allocative and conservation concerns for the tribes. It is no longer possible for the tribes to negotiate a fair and equitable agreement if northern U.S. fisheries can be adjusted in-season without consideration to the impacts it may have on Chinook stocks, especially stock or stock groups of concern. More importantly, it raises serious conservation concerns if northern U.S. impacts can be increased on our trust resources without management action by NMFS or commensurate management action in southern U.S. fisheries.

This leads the Western Washington Treaty Tribes to ask the following question: What assurances can NMFS give that the impact levels associated with the FRAM inputs provided by their staff for the Southeast Chinook fishery will be adhered to?

¹ NMFS. 2021. Salmon Guidance Letter to PFMC. <https://www.pcouncil.org/documents/2020/03/e-5-b-supplemental-nmfs-report-1-guidance-letter.pdf/>