

**TESTIMONY OF THE COLUMBIA RIVER TREATY TRIBES
BEFORE THE PACIFIC FISHERIES MANAGEMENT COUNCIL**

April 8, 2021,

Good day members of the Council. My name is Wilbur Slockish Jr. and I am a member of the Yakama Nation, and a Commissioner with the Columbia River Inter-Tribal Fish Commission. I have lived and fished along the Columbia River for all of my life. I have been asked to provide comments today on behalf of the four Columbia River Treaty Tribes, the Yakama, Umatilla, Warm Springs, and Nez Perce Tribes.

As the Council works to finalize the 2021 ocean fisheries, we have some concerns relative to Columbia River stocks. Specifically, there relationships between ocean and in-river fisheries and some in-river fisheries share the allowed harvest rates on stocks such as the LRH tules and lower Columbia River coho. This means that in-river fisheries have a bearing on ocean fishery planning.

In past years, we have voiced our opposition to summer season mark selective fisheries, mainstem fall season mark selective chinook fisheries, mark selective coho fisheries and ocean mark selective fisheries. This year, we understand there is a proposal for a mark selective recreational fishery in August at Buoy 10. We provided some comments at an earlier state planning meeting expressing our opposition to mark selective fishing at Buoy 10 which we thought would appropriate to repeat for the entire Council.

Mark selective fishing at Buoy 10 is an unwise proposal for several reasons. First, estuaries are a poor choice as an area for mark selective fisheries. The fish are making complex changes to adapt from salt to fresh water and there is evidence that release mortality may increase in these areas. There can be a sharp temperature difference between ocean and river temperatures that can be 70 degrees or more in August. This temperature transition may put fish at risk for higher release mortality.

Second, we have lower than average upriver fall chinook forecasts. The Spring Creek hatchery tule forecast is only about two thirds of the ten-year average run size. The run has returned lower than forecast in several recent years, sometimes by a significant amount. A mark selective fishery at Buoy-10 will increase impacts to the Spring Creek and PUB runs compared to a full retention fishery because these fish are almost all ad-clipped. An average of only 26% of the river mouth return of Spring Creek Tules make it to the hatchery and the percentage can be as low as 17%. Typically, the tribal fishery harvests around 39% of the Spring Creek tules entering the river. An average of only 14% of the PUB return to the river mouth reaches Little White Salmon Hatchery and the treaty harvest rate is normally above 20%. We need good runs of tules and PUBs so we can maintain our overall fall fishing plans targeting upriver brights. If these runs come in less than forecast and we have difficulty meeting brood stock needs, it can cause problems for managing the treaty fishery. We don't want to face this risk because of non-treaty fishery decisions. We also think it would be appropriate for the STT to report expected hatchery

escapement for Spring Creek and Little White Salmon National fish hatcheries. Tribal staff are willing to assist them in providing information on expected treaty harvest rates that would be needed to do this.

The privilege for non-Indians to buy licenses to engage in recreational or commercial fishing should not come before the treaty rights of our tribes. These hatcheries were intended to produce fish to make up for damages done by the hydrosystem and other development. The tribes were promised we would have fish from these hatcheries to catch in our fisheries. Their purpose was not to just increase recreational harvest in mark selective fisheries.

The third reason is that it is likely the ocean fishery just outside of the Buoy 10 fishery will have regulations allowing the retention of unclipped chinook. This could cause enforcement concerns with different retention rules in adjacent areas and the fact that ocean fishers will be transiting through the Buoy 10 fishery. It is possible people may try to fish in both of these areas as well. We would not like to see an incentive put in place for Buoy 10 fishers to keep an unclipped fish and claim it was caught in the ocean. There is only a short distance between the ocean management area and the Buoy 10 area and if weather and tides are good, it is easy to go between these areas.

Fourth, a mark selective fishery won't do anything to reduce impacts to ESA listed stocks in non-treaty fisheries. The only thing it will do is shift impacts from landed catch to release mortality. It will increase wild impacts in upstream fisheries including both the mainstem treaty fisheries and tributary treaty and non-treaty fisheries because of changing mark rates from the selective fisheries. It appears that the main justification for this proposal is simply to extend the fishery through Labor Day. Just as in recent years, this run may simply just not be large enough for the Buoy 10 fishery to go through Labor Day. If this is such an important goal, then it seems like it would be more practical to start the Buoy 10 fishery later so that it can go through the desired date and let people keep and eat the fish they catch. Fish were provided by the creator as a source of food for people willing to care for the salmon. We are not showing we care for these fish by hooking them, injuring them, and tossing them back.

This concludes our statement.