



Pacific Fishery Management Council

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~~April-March~~ XX, 2010

The Honorable Gary Locke, Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Secretary Locke:

The Pacific Fishery Management Council wishes to comment on one of the greatest challenges facing both of our agencies: the protection and restoration of Pacific salmon. As you know from your tenure as Washington's Governor and now as Commerce ~~S~~secretary, salmon play a crucial role in both the ecology and the economy of the West Coast. Their recovery is of enormous importance to the three coastal states, the inland empire of Idaho, and the fishing communities that depend on recreational, commercial and tribal fisheries served by the Council.

The Pacific Fishery Management Council has commented frequently on the Columbia-Snake River dams and river operations, such as enhanced spills (dates), including calling for the removal of the four lower Snake River dams (date), and recovery remains elusive.

Salmon declines have had severe impacts on coastal and rural economies throughout the Pacific states. With thousands of jobs and billions of dollars already lost and more at stake, reversing these declines and returning salmon to abundance must be a shared goal. The management of the Columbia-Snake River Basin represents an opportunity to alter the trajectory of both salmon and the communities that depend upon them.

General Recommendations

As NOAA Fisheries engages in the latest, and ~~most likely potentially~~ final, remand of the 2008 Biological Opinion (BiOp) for the Federal Columbia River Power System, the Pacific Council urges the Department of Commerce to ensure that the remand results in a robust, legal salmon plan that is based on the best available science, taking into consideration the concerns raised by the Western Division of the American Fisheries Society in its independent scientific review of the BiOp's adaptive management implementation plan (summarized in Appendix A, attached).

In addition, the Pacific Council urges the Department of Commerce to incorporate the most recent information on climate change, consistent with District Court advice and the recent analysis conducted by the Northwest Power and Conservation Council (NPCC) in its 6th Power Plan. The NPCC's analysis shows that by achieving the NPCC's conservation and renewable energy goals, the region can remove the four lower Snake River dams and phase out 40 percent of the region's coal plants in order to meet CO₂ targets while still retaining some of the lowest energy rates in the nation.

Benefits of Spill

Also consistent with the Court's advice, we ask that NOAA Fisheries consider the beneficial role of spill in any final BiOp. Over the past several migration seasons, court-ordered flows and spills have contributed to comparatively healthy numbers of adult returns and allowed for relatively stable ocean and in-river harvest of Columbia River fall Chinook, even as other West Coast populations have declined. At the Federal court hearing on the BiOp in November 2009, Judge James Redden made several references to the benefits of spill to species such as steelhead and sockeye, in addition to Chinook. A federal salmon plan that retains science-based spill levels will help protect these modest gains in salmon survival, along with the important harvest opportunities associated with them.

Rapid Response Actions

While harvest opportunities are important to the Columbia Basin's recreational, commercial, and tribal fishing communities, they remain heavily constrained, and rightly so. However, NOAA Fisheries lists two major Rapid Response Actions as back-up measures to protect salmon in case of emergency. One of these—cited by the agency's Federal attorney at the November 2009 court hearing—would close ocean, mainstem Columbia River, and/or tributary fisheries in the event of unexpected declines. Under current Council and state management, recreational, commercial, and tribal fishing has already been significantly curtailed in order to conserve imperiled salmon stocks. This brings into question the need for, and the equity of, this Rapid Response Action.

Solutions Table

A lawful, science-driven **Recovery** plan must be part of a longer-term commitment to restore the Columbia Basin's wild salmonid runs. To that end, we also ask that the Department of Commerce convene a "solutions table" where stakeholders from throughout the Basin can work with state and federal agencies and Northwest Tribes to craft a long-term blueprint for meaningful salmon recovery. Recreational, commercial, and tribal fishing communities must be an integral part of this process from the beginning.

Finally, we urge the Department of Commerce to commit to the goal of salmon abundance, and to the return of harvestable, self-sustaining runs of wild salmon and steelhead – to rebuild struggling fishing communities, keep fishermen on the water, end the now-annual cycle of salmon collapses and subsequent disaster relief, and ensure that wild salmon remain an integral part of the West Coast's ecosystem and culture. This larger objective should guide our collective efforts to protect, restore, and manage our salmon resources.

Thank you for your time.

[Signature Block]

Appendix A

Excerpts from *Review of the 2009 Adaptive Management Implementation Plan [AMIP] for the 2008 Biological Opinion Regarding the Federal Columbia River Power System*, by the Western Division of the American Fisheries Society (WDAFS) (February 2010)¹:

- “Although the AMIP provides some useful information and includes some beneficial actions, the WDAFS has a number of concerns, and finds the AMIP to be inadequate for ensuring the protection of threatened and endangered salmon and steelhead in the Columbia River Basin. Rather than use a precautionary principle to protect threatened and endangered salmon and steelhead, the AMIP seems to use a precautionary principle to support the 2008 Biological Opinion and defend the status quo.” (page 2)
- “The WDAFS is of the opinion that the AMIP does not always use the ‘best scientific information.’” (page 2)
- “Thus, it appears that there is undue emphasis on more monitoring and modeling than on implementing beneficial actions. A logical assumption therefore is that the primary output will be merely that declines are more accurately documented.” (page 3)
- “In general, [rapid response] actions do not seem aggressive or encompassing enough to address significant declines, especially given the uncertainty about the robustness of the triggers.” (page 3)
- “Regarding dam breaching: Compared to other actions in the contingency plans, which are addressed generally and suggest movement toward implementing the action, the breaching of the Lower Snake River dams takes a tortuous path just to initiate a study.” (page 4)
- “The objectivity of this assumption [that the status of Snake River fish is improving] is questionable because the AMIP states that best available science does not support moving forward with dam breaching (although it provides no documentation to support this statement), and emphasizes uncertainty about whether short-term negative effects of breaching may compromise long-term benefits. The AMIP seems to place a huge amount of weight on the uncertainties here, more so than elsewhere. The uncertainties about dam breaching stand in the way of even conducting a ‘science-driven’ study.” (page 4)
- Regarding Habitat Improvement Biological Benefits: “Focus of the AMIP has been on ensuring implementation. However, the bigger concern is that the assumed survival improvements appear unrealistically high.” (page 5)
- Regarding Latent Mortality Effects and Opportunities to Reduce It: “It appears that the PATH conclusions, its collaborative weight-of-evidence hypothesis testing framework, and its decision analysis have been dropped by NOAA Fisheries without scientific justification.” (page 5)
- Regarding Rapid Response Actions: “The AMIP repeatedly states that rapid response actions will be quickly implemented if pre-defined biological triggers are met....Our review of Appendix 5:

¹ http://www.wdafs.org/committees/policy_review/WDAFS%20Review%20of%20AMIP.pdf

Rapid Response Actions left us with different conclusions. First, that prompt implementation of actions to deliver survival benefits is generally not specific or certain to occur. Second, most actions listed would have likely occurred even if the AMIP did not exist.” (page 6)

- Regarding Biological Triggers, specifically the lack thereof for Snake River sockeye: “The WDAFS believes it is inappropriate to not have biological triggers for this species or to rely on a captive broodstock program indefinitely to avoid extinction.” (page 7)
- In Appendix A of the WDAFS review, the authors go through each of the primary concerns raised by some of the participants in NOAA’s independent scientific review last summer, and attempt to determine if those concerns were addressed in the AMIP. One of the independent scientists’ concerns is that the triggers “should be developed for major population groups (MPG), maybe even populations, and not just ESUs. Actions that cause decline or redress will usually be at MPG level not ESU; IF idea is to be proactive, not just reactive.” WDAFS’s assessment is that the AMIP does not properly address this issue; they describe this as “a serious shortcoming.” (page 10)
- Also in Appendix A, regarding climate change and the “need to compile information collected for other purposes and interpret it in light of predicted impacts of climate change,” WDAFS says, “This appears to be addressed in only a very general way in the AMIP, with no quantitative projections.” (page 11)