



# Minutes of the Joint Meeting between the Oregon and Washington Fish and Wildlife Commissions

Meeting:  
November 3, 2005, 10:00 a.m.  
Columbia County Fairgrounds, Pavilion  
58892 Saulser Road  
St. Helens, Oregon

*Commission minutes are considered draft until approved by the  
Commission at its next meeting.*

Notice of these meetings had been made by press release of statewide media circulation. Those attending part or all of the meeting included:

<b>Oregon Fish and Wildlife</b>	<b>Washington Fish and Wildlife</b>
Marla Rae, Chair	Ron Ozment, Chair
Don Denman, Vice-Chair	Fred Shiosaki, Vice-Chair
Zane Smith, Commissioner	Kenneth Chew, Commissioner
Jon Englund, Commissioner	Chuck Perry, Commissioner
Skip Klarquist, Commissioner	Will Roehl, Commissioner
Roy Elicker, Deputy Director	Miranda Wecker, Commissioner
Bill Cook, Assistant Attorney General	Jerry Gutzwiler, Commissioner
Carter Kerns, Commissioner	Jeff Koenings, Director
Dan Edge, Commissioner	Larry Peck, Deputy Director
Lindsay Ball, Director	Susan Yeager, Executive Assistant
Kris Kautz, Deputy Director	
Steve Sanders, Assistant Attorney General	
Tina Edwards, Executive Assistant	

## **MEETING**

On Thursday, November 3, 2005 at 10:00 a.m., Oregon Commission Chair Marla Rae called the Joint Meeting of the Oregon and Washington Fish and Wildlife Commission meeting to order and welcomed Washington Fish and Wildlife Commissioners to the meeting. Washington Commission Chair Ron Ozment provided a brief overview of the topics for discussion. The purpose of the joint meeting was to provide an opportunity for both Commissions to receive staff briefings and discuss issues relating to fisheries management on the Columbia River. No motions, actions or public testimony were taken during the meeting.

## **COMMISSIONER ITEMS**

### **OVERVIEW OF HARVEST IN THE LOWER COLUMBIA RIVER; RELATIONSHIP OF HARVEST MANAGEMENT TO THE ENDANGERED SPECIES ACT, SALMON RECOVERY AND *US V OREGON***

#### *Staff Presentation:*

Guy Norman, Southwest Washington Regional Director and Curt Melcher, Oregon Department of Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine, provided an overview of harvest management milestones for salmon and sturgeon allocations in the Lower Columbia River, the relationship of harvest management to the Endangered Species Act as it relates to salmon recovery, and the *U.S. v Oregon* management agreement adopted by the federal court in 1964 which made rulings on harvest share between Indian and non-Indian fisheries in the Columbia Basin. Mr. Norman and Mr. Melcher also briefed the Commissions on the key management forums that Oregon and Washington jointly participate in, which are the *U.S. v Oregon* Forum, the Pacific Fisheries Management Council Forum, the North of Falcon Forum, the Pacific Salmon Treaty Forum, and the Columbia River Compact Forum.

### **RECENT HISTORY OF LOWER RIVER ALLOCATION ISSUES: SUMMARY OF PREVIOUS COMMISSION GUIDANCE AND THE NEED FOR CONCURRENCE, ROLE OF COMPACT AND DELEGATION TO STAFF**

#### *Staff Presentation:*

Bill Tweit, Washington Fish and Wildlife Columbia River Policy Lead, and Curt Melcher, Oregon Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine, provided the joint Commissions with the recent history of Lower River allocation issues, the management intent for concurrent, matching regulations to operate the Columbia River as a single management unit, provided a summary of previous Commission guidance and the need for concurrence, as well as the role of the Compact in providing regulatory, simplicity and enforceability of the management objectives and guidelines. Mr. Tweit and Mr. Melcher also discussed the role of the Compact in the delegation of authority to the Director to negotiate agreements and adopt rules. The discussion also included sport allocations between Oregon and Washington, broodstock protection, population sustainability, habitat and natural propagation issues.

## **JOINT STATE MANAGEMENT OF COLUMBIA RIVER SALMON AND STURGEON NON-INDIAN HARVEST ALLOCATIONS**

*Staff Presentation:*

### **White Sturgeon Allocation**

Curt Melcher, Oregon Department of Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine and Cindy LeFleur, Washington Fish and Wildlife, Columbia River Policy Coordinator, provided the Commissions with information regarding the White Sturgeon Allocation. The briefing included information about previous Oregon/Washington accords that define total allowable harvests in sport and commercial fishery sectors, and changes in maximum size limits. Included in the discussion were performance issues and best fishery practices to educate anglers, and information about the declining sturgeon fishery. Broodstock protection and fish mortality factors were outlined. Fisheries management outside the Columbia River and the Green Sturgeon fishery were also discussed. The possibility of a five-year agreement with off-ramps was discussed, in lieu of the two-year agreements currently in place.

### **Fall Chinook Allocation and Coho Fisheries Management**

Cindy LeFleur, Washington Fish and Wildlife, Columbia River Policy Coordinator and Curt Melcher, Oregon Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine, discussed fall chinook allocations and coho fisheries management. Ms. LeFleur provided information on the five major management stocks in Columbia River and ESA and outlined the North of Falcon process, which is where the allocations are developed. This public process includes federal, state and tribal processes in cooperation with the Pacific Fisheries Management Council (PFMC), which sets ocean seasons. Ms. LeFleur also briefed the Commissioners on the four recreational fisheries and the two timeframes for the fall commercial fisheries. The average sport fishery harvest in the last five years was approximately 38,000, and the average commercial fishery harvest over the last five years was approximately 33,000, with the sharing of sport and commercial fish totals averaging of 55 percent sport and 45 percent commercial harvest.

The coho fisheries management on the lower Columbia River was also discussed. Coho were recently listed under fed ESA became effective in the fall of 2005. Washington currently has a one-year Biological Opinion with the National Marine Fisheries Service (NMFS) for coho, and will be reconsulting with NMFS for coho and beyond as far as impacts to federally listed coho. Washington has been managing for Oregon State listed coho since 2000 and will continue to do so. Stock predictions in Washington were also discussed. The Commissions were asked to consider a five-year

agreement with off-ramps, and whether they wished to continue the coho allocation through the North of Falcon process.

### **Summer Chinook Allocation**

Cindy LeFleur, Washington Fish and Wildlife Columbia River Policy Coordinator and Curt Melcher, Oregon Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine, briefed the commissions on the summer Chinook allocation. Cindy LeFleur provided Background on the Snake River component, which is listed under ESA and Upper Columbia River component, where spawning occurs above the Grand Coulee dam. Escapement goals of hatchery and wild fish were also discussed. Ms. LeFleur also outlined Washington Fish and Wildlife management guidelines, and clarified that the Snake River summer chinook are included with the Snake River spring Chinook, for management purposes. Ms. LeFleur reported that a new management agreement was put in place for 2005-2007 under *U.S. v Oregon*, which includes a harvest abundance schedule and describes treaty and non-treaty sharing. Ms. LeFleur indicated that Washington is currently working on a management plan for this stock of fish as well as a Colville Tribal Agreement. Commercial fisheries and implementation of a non-selective sport fishery since 2000 in upper Columbia River were also discussed. In 2005, there was a full season sport fishery and a six-week commercial fishery for first time in 40 years. Predictions for summer chinook are conservative. The Commissions were asked to consider a five-year agreement with off-ramps.

### **Spring Chinook Allocation and Winter Steelhead By-Catch Impact Limits**

Curt Melcher, Oregon Fish and Wildlife Assistant Fish Division Administrator, Columbia River and Marine and Cindy LeFleur, Washington Fish and Wildlife Columbia River Policy Coordinator, provided information about the spring chinook allocation and winter steelhead by-catch impact limits. Curt Melcher provided background information about the spring chinook fishery, beginning with the history of the commercial fishery and the addition of the recreational fishery after World War II. Mr. Melcher added that the 2001 *U.S. v Oregon* agreement added the flexibility to non-Indian fisheries in terms of allowable impact rates. Mr. Melcher continued, stating that the spring Chinook fishery allocations began in 2002, and that in 2002-2003, the sport commercial allocation structure that was created and adopted, was based on equitable catch sharing. In 2004-2005, the Oregon Fish and Wildlife Commission and the Washington Fish and Wildlife Commission negotiated, through the Compact Forum, and developed the 60 percent sport and 40 percent commercial upriver spring Chinook ESA allocation. Staff asked the Commissions to consider a five-year agreement with off-ramps, and to consider adopting guiding principles and management objectives, and 60/40 ESA impact allocation.

### **Winter Steelhead By-Catch Impact Limits**

Curt Melcher, Oregon Fish and Wildlife Assistant Fish Division Administrator, Columbia River Marine, provided the commissions with background information regarding winter steelhead by-catch impact limits. Steelhead mortalities associated with marine

mammals was discussed. Background was also provided regarding the ESA limits and incidental rates relating to the recovery plan objectives. Selective fishing for spring chinook began in 2002, at which time small mesh tangle nets were implemented to allow for release of unmarked fish, resulting in by-catch issues with unintended fish. Mr. Melcher also advised that staffs are working on risk assessments for the next biological assessment. He reported that steelhead run sizes have begun to decline. Staffs are working through information gathered and have a packet ready before the January concurrent meetings in Washington and Oregon. The *U.S. v Oregon* Technical Advisory Committee has been working on forecasts and databases for a model, but needs to have additional discussions to address policies and parameters for consideration.

Both Commissions indicated they want to be informed about the discussions regarding this issue. The Commissions also advised it would be helpful to have staff recommendations. Both Commissions agreed that they need the same information at the same time to consider the recommendations. Oregon Commissioner Zane Smith said it would be beneficial if both Commissions would provide staff with a vision statement to enable staff to manipulate numbers to move towards the vision and then come back to the Commissions with the solution to attain that vision so the Commissions could act on the vision statement. Staff indicated they have captured that vision in the guiding principles. Additionally, economic risks and economic aspects of stakeholders were discussed. Both Commissions agreed that there should be a balance between biological and economic impacts and that they are mindful of the decisions that are made affecting both.

The Columbia River Advisory Group sport and commercial meetings were held in September and October. Comments from those meetings have been summarized for the Commissions. The Decision schedule for both Commissions is:

- Sturgeon – December
- Spring Chinook/winter steelhead – January
- Summer Chinook/Fall Chinook - February

Oregon and Washington staffs indicated the need to have concurrent regulations and the ability to delegate to their Agency Directors, the ability to negotiate any final agreements and any potential disagreements within those processes, as well as the duration of the agreements and the off-ramps.

## **SUMMARY AND CONCLUSION**

The joint meeting of the Oregon and Washington Fish and Wildlife Commission provided an opportunity for both states to have a general discussion and briefing among colleagues and professional staff about issues relating to fisheries management on the Columbia River.

Staffs from Oregon and Washington will provide both Commission Chairs and Agency Directors with species information relevant to their states for future discussion and negotiations.

The key to partnership is the ability to negotiate and put into place, an objective process both states can use to make more uniformed decisions on key issues. Oregon and Washington must define the barriers and issues so both Commissions can discuss various options. Both Commissions agreed to review their guiding principles and solicit from staff, any areas that need improvement, as well as identifying barriers that exist in the joint relationship between Oregon and Washington, to create a stronger partnership. Both Commissions will discuss these issues at their respective monthly December, January and February Commission meetings. Washington Chair Ozmet commended both staffs for their excellent work. Both Commissions agreed to have joint meetings more often to discuss common issues.

Oregon Chair Marla Rae adjourned the meeting at 2:59 p.m.