

3. Columbia River White Sturgeon Policy – Decision

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## **“GREEN SHEET”**

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<b>Meeting dates:</b>	January 7-8, 2011, Commission Meeting
<b>Agenda item #3:</b>	Columbia River White Sturgeon Policy – Decision
<b>Staff Contact:</b>	Cindy LeFleur, Columbia River Policy Coordinator, Region 5
<b>Presenter(s):</b>	Cindy LeFleur, Columbia River Policy Coordinator, Region 5 Bill Tweit, Columbia River/Distant Waters Policy Lead, Director's Office

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### **Background:**

White sturgeon are native to the Columbia River basin. The population downstream from Bonneville Dam migrates to various coastal bays and river systems. The lower river population has declined in abundance in recent years. The longevity, slow growth, and delayed maturation of white sturgeon make them particularly susceptible to overexploitation. The current lower Columbia River white sturgeon population abundance of sturgeon, two feet or greater, numbers in the hundreds of thousands of fish. In recent years a new mortality source, predation by sea lions, has begun to impact all segments of the population, including direct predation on spawning-size fish.

### Fishery Management Actions

The joint state management accords, initiated in 1996, are developed with the intention of achieving recruitment across all age classes. The most recent harvest rate reduction occurred in 2010 (40 percent reduction). The 40 percent reduction in harvest rate and increased spawning ground sanctuary were included in the Joint State Management Accord for Columbia River White Sturgeon that covered the time period of January 1, 2010 through December 31, 2010.

### Sturgeon Policies and Accords

The current policy, C-3001, (Attachment 1) was adopted for a one-year time period and will expire December 31, 2010; therefore, a policy needs to be adopted to take effect January 2011. Concurrent with the policy guidance, the Washington Department of Fish and Wildlife (Department) and the Oregon Department of Fish and Wildlife (ODFW) have negotiated a series of joint state fishery management accords that establish total allowable harvest, allocation between sport and commercial fisheries, specific sport and commercial fishery regulations, and population monitoring programs. The current joint state accord is also due to expire December 31, 2010 (Attachment 2). Department staff will be recommending that the time period of the new accord be that same as that for Commission Policy C-3001.

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### **Policy issue(s) you are bringing to the Commission for consideration:**

Adopt a three-year policy for lower Columbia River sturgeon management (2011-2013). Department staff has provided a draft policy for consideration (Attachment 3), which was modified based on input from December Commission briefing. This policy provides guidance to the Director for negotiation with ODFW to develop a three-year joint state sturgeon management agreement (Accord), including guidelines for negotiating a harvestable number for 2011-2013 fisheries, and setting sport and commercial seasons through the Columbia River Compact. The Oregon Fish and Wildlife Commission will provide guidance to the ODFW Director on February 4.

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**Public involvement process used and what you learned:**

Current stock status information was shared with the Columbia River Advisory Groups in October and additional detailed information as well as Department staff recommendations were shared at the December 16<sup>th</sup> meeting. Three public meetings were held – December 6—Longview, Washington; December 7—Clackamas, Oregon; and December 9—Astoria, Oregon. There was support from the public and advisory group members for a reduction in the harvestable number. None of the comments included a recommendation for a higher harvest number than staff was recommending (17,000 fish) and some thought a lower number should be considered. There was support for a conservative approach. The public will provide input on the fishery season structures at a February Compact/Joint State hearing.

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**Action requested:**

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Adopt a 3-year policy for sturgeon management for 2011-2013. Provide guidance to the Director for developing an Accord with ODFW.

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**Draft motion language:**

I move that we adopt Commission Policy C-3001 as presented by Department staff in Attachment 3 for the time period of January 1, 2011 through December 31, 2013.

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**Justification for Commission action:**

Provides policy guidance to the Director and Department staff for white sturgeon management downstream of Bonneville Dam.

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**Communications Plan:**

Results of Commission decision will be shared with co-managers and appropriate constituents.

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*Form revised 10/16/2008 - sdy*



# Joint State Accord on 2010 Columbia River Sturgeon Fishery Management



The Oregon and Washington Departments of Fish and Wildlife agree on the following management measures for sturgeon fisheries in the Columbia River and in coastal streams. These fishery regulations shall be in effect in Oregon and Washington boundary waters upstream from McNary Dam, in the lower Columbia River and tributaries, in marine areas, and in coastal basins. Sturgeon fisheries between Bonneville and McNary dams will be managed under agreements negotiated by *U.S. v Oregon* parties.

## I. Management Policies

- A. Provide regulatory protection to safeguard the current broodstock population and ensure adequate recruitment of broodstock sturgeon in subsequent years.
- B. Manage for optimal sustainable yield (OSY), by regulating the combined sport and commercial harvest rate for the legal sized population.
- C. Maintain concurrent Washington and Oregon regulations in the Columbia River.
- D. Maintain viable and diverse recreational and commercial fishing opportunities.
- E. Manage the harvest of sturgeon in fisheries outside the mainstem lower Columbia River consistent with lower Columbia River sturgeon conservation and management needs.
- F. Limit incidental impacts of other species needing conservation protection during fisheries directed at white sturgeon.

## II. White Sturgeon

### A. *Harvestable Number Below Bonneville Dam*

The harvestable number of white sturgeon for 2010 will be 24,000 legal-sized individuals. This number is based on current stock assessments and is intended to provide population growth towards OSY. This number may be changed based on new biological information or analyses/theory.

### **B. *Fishery Allocation Below Bonneville Dam***

The harvestable number of white sturgeon in the Columbia River downstream from Bonneville Dam will be allocated 20% to commercial fisheries and 80% to recreational fisheries.

1. The recreational fisheries downstream from Bonneville will be managed to annually provide 40% (7,700 fish) of the harvest to the area upstream of the Wauna powerlines and 60% (11,500) of the harvest to the area downstream. The 11,500 fish for the area downstream of the Wauna powerline is equivalent to 9,600 fish when managed at a 41-inch fork length minimum size.
2. The Willamette will be managed under a separate harvest cap equal to a total of 3,600 fish, including a baseline level of 735 fish. The Willamette harvest cap above the baseline (2,865 fish) is part of the 7,700 fish sport harvest cap above the Wauna powerlines.

### **C. *Sport Fishery Regulations***

Sport fishery regulations will be consistent with the following objectives:

- Minimize emergency in-season action
  - Balance catch between the estuary and non-estuary fisheries and maintain a diverse array of sturgeon fishing opportunity
  - Maintain fishery monitoring and management capabilities
  - Reduce fishing-related mortality of “oversize” sturgeon
1. Size limit: 38 inches – 54 inches fork length. May use more restrictive size limits to manage within specific areas (e.g. the size limit for the summer (post-April) fishery below the Wauna power lines is 41-54 inches fork length).
  2. Catch limits: 1 per day and 5 per year. Allow catch and release fishing after retention of the daily or annual catch limit, except in the sturgeon spawning sanctuary downstream from Bonneville Dam where no fishing is allowed from May 1 through August 31.
  3. Hook requirement: Require one single-point barbless hook.
  4. Retention Seasons: Modify as necessary so that harvest is no greater than the prescribed sport harvestable number. May use different season structures for areas upstream and downstream from Wauna power lines to accomplish the catch-by-area objectives for the two areas.
  5. Miscellaneous regulations: Maintain in effect the miscellaneous sturgeon fishery regulations as described in Oregon and Washington sport regulation pamphlets.
  6. Spawning Sanctuaries: Close the Columbia River from the upper end of Skamania Island upstream to Bonneville Dam, and the Willamette River from I-205 Bridge upstream to Willamette Falls, to angling for sturgeon from May 1 through August 31 to protect broodstock.

7. Oversize Catch and Release Fishery Downstream from Bonneville Dam: Manage the oversize catch and release fishery in this area to safeguard sturgeon broodstock, because this fishery has a higher impact on the broodstock population than other segments of the fishery. Specifically encourage participants in this fishery to follow “Best Fishing Practices” protocols including, but not limited to the following measures:
  - Limit catch to one oversize sturgeon per angler per day
  - Minimize the amount of handling time per oversize fish
  - Keep the fish in the water while being photographed and released
  - Use and maintain proper gear to minimize break-offs, limit handling stress, improve reproductive success and reduce mortality
  - Best Fishing Practices protocols and the purpose of the program shall be posted on informational signs at boat launches used by participants in the fishery.
8. Recreational fishery from McNary Dam upstream to the Oregon-Washington border: Effective May 1, 2010, the retention season for this area will be February 1 through July 31 with a 43-54 inch size limit in effect.

#### ***D. Commercial Fishery Regulations***

Commercial fishery regulations will optimize economic value and spread harvest opportunity throughout the year.

1. Size limit: 43 inches – 54 inches fork length.
2. Landing limits: May implement landing limits per vessel per fishing period as necessary to spread harvest opportunity and optimize economic value.
3. Seasons: Allow sturgeon fishing outside salmon fishing seasons as necessary to access allocation and optimize economic benefit, consistent with conservation objectives for other species. Allocate the commercial share of white sturgeon among seasons annually in coordination with the Columbia River Commercial Fishery Advisory Group.
4. Miscellaneous regulations: Maintain in effect the miscellaneous sturgeon fishery regulations in effect since 1996.

#### ***E. Fishery and Population Monitoring Measures***

The following programs will be continued.

1. The Sport Fishery Statistical Sampling Program
2. Expansion of the Willamette Creel Program (to include January-February timeframe)
3. The Tagging Program to Estimate Abundance of Legal-Sized Sturgeon (including the additional measure of evaluating setlines as an alternative sampling gear)
4. ODFW’s Young-of-the-Year Sturgeon Surveys
5. WDFW’s Sturgeon Carcass Surveys and Autopsies
6. WDFW and MSU’s Sturgeon Maturation Study (including continued encouragement of the fishing-guide community to cooperate with investigators)

7. Monitoring of Marine Mammal Predation (incidental to other field activities)

With respect to monitoring broodstock, continue efforts to assess, and quantify impacts of commercial and recreational fisheries on broodstock abundance, including conducting research as necessary and practical.

**III. Green Sturgeon**

**A. Sport Fisheries**

Retention of green sturgeon is prohibited in Washington and Oregon recreational fisheries.

**B. Commercial Fisheries**

Retention of green sturgeon is prohibited in Washington and Oregon commercial fisheries.

**C. Stock Status**

Stock status and management of green sturgeon will continue to be reviewed with regional co-managers and NOAA Fisheries consistent with the 2006 listing of the Southern Distinct Population Segment (DPS) of green sturgeon as threatened under the Endangered Species Act.

**IV. Ocean and Coastal Fisheries**

Harvest in sturgeon fisheries outside the mainstem Columbia River will be managed consistent with lower Columbia River sturgeon conservation and management needs.



*Roy Elicker, Director*

Oregon Department of Fish & Wildlife

Date

3/31/10



*Phil Anderson, Director*

Washington Department of Fish & Wildlife

Date

## FISH AND WILDLIFE COMMISSION POLICY DECISION

**POLICY TITLE: 2010 Lower Columbia  
Sturgeon Management**

**POLICY NUMBER: C-3001**

Supersedes: 2009 Lower Columbia  
Sturgeon Mgmt Policy C-3001

Effective Date: January 1, 2010  
Termination Date: December 31, 2010

See Also: N/A

Approved Miranda Wecker  
Chair, Washington Fish and Wildlife Commission

02/05/2010

### **Lower Columbia Sturgeon Management Policies:**

- Manage lower Columbia River sturgeon through a one-year agreement with Oregon for 2010. This interim policy will be replaced with a three year policy for 2011-2014, which will be based on analysis of existing and additional biological information and in-depth review of the existing policy.
- Provide adequate recruitment and regulatory protection to safeguard the broodstock population.
- Manage for optimal sustainable yield (OSY) by setting a combined sport and commercial harvest rate for the legal-sized population.
- Manage fishery in a manner that takes into consideration projected recruitment over the next three years with the objective of increasing escapement into the legal size and broodstock segments of the population. The rate should be based on consideration of all mortality factors including sea lion predation and both recreational and commercial mortalities.
- Maintain concurrent Washington and Oregon regulations in the Columbia River.
- Maintain viable and diverse recreational and commercial fishing opportunities.
- The base period for determining viability and diversity for recreational opportunity among geographic areas should be calculated using recent years (e.g., 1995-2000).
- Manage sturgeon harvests outside the mainstem lower Columbia River consistent with lower Columbia River sturgeon conservation and management needs.
- Limit incidental impacts on other species.
- Review the existing management framework, incorporating the most current scientific information on the status of lower Columbia white sturgeon, and develop updated policy recommendations for consideration by both the Oregon and Washington Commission in advance of the 2011 fishing season. The updated recommendations should include an evaluation of fishery objectives for the population, in light of remaining scientific uncertainties concerning this stock and their role in the ecosystem. The recommendations should adopt a precautionary approach, prioritizing population growth in order to more fully utilize the habitat and afford increased protection of the reproductive portion of the population. Recommendations should consider fishery related mortalities that are not presently reflected in harvest estimates.

### **Management Objectives for 2010:**

- Manage for an annual combined sport and commercial harvest of white sturgeon to provide measurable population growth to achieve the goals of: (1) fully seeded habitats, and (2) full representation of each age class within the population. For 2010, the combined harvest level should be set at no less than a 45% reduction from the 2009 level; the intent of the 2010 harvest level should be sufficient reduction from previous levels to provide an increasing trend in all age classes or a greater reduction may be necessary in future years.
- Maintain the 80/20 sport/commercial harvest allocation.
- Develop sport fishery regulations consistent with the following objectives:
  - Minimize emergency in-season action;
  - Balance catch between estuary and non-estuary fisheries and maintain a diverse array of sturgeon fishing opportunity; and
  - Maintain fishery monitoring and management capabilities.

- Develop commercial fishery regulations consistent with the following objectives:
  - Optimize economic value (adjust to market needs); and
  - Spread harvest opportunity throughout the year; and
  - No green sturgeon target fisheries.
- Provide sufficient sturgeon spawning sanctuaries or other protection measures where appropriate to ensure adequate recruitment to the population.
- Provide appropriate added protective measures to prevent further decline of green sturgeon.
- Conduct all practical research, within available resources, to assess broodstock and sublegal abundance and to quantify impacts of commercial and recreational fisheries on both broodstock and sublegal abundance.

**Delegation of Authority:**

Delegate negotiation and adoption authority to the Director for a new one-year (2010) Lower Columbia Sturgeon Management Plan that is consistent with these policies and objectives.

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# FISH AND WILDLIFE COMMISSION

## POLICY DECISION

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**POLICY TITLE:** 2011-2013 Lower Columbia  
Sturgeon Management

**POLICY NUMBER:** C-3001

Supersedes: 2010 Lower Columbia  
Sturgeon Management C-3001

Effective Date: January 1, 2011  
Termination Date: December 31, 2013

See Also: N/A

Approved by: \_\_\_\_\_  
Chair, Washington Fish and Wildlife Commission

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### **Purpose**

The purpose of this policy is to provide guidelines for management of the Lower Columbia River white sturgeon population and fisheries.

### **Definition and Intent**

The Lower Columbia River white sturgeon population inhabits the waters of the Columbia River and tributaries downstream of Bonneville Dam and migrates into ocean and coastal estuaries. The intent of the policy is to provide consistent management guidelines that promote a healthy population.

### **General Policy Statement**

Manage the Lower Columbia River white sturgeon population with conservation and fishery management objectives that are consistent with a healthy population.

### **Policy Guidelines**

#### **Lower Columbia Sturgeon Conservation Objectives:**

- Provide recruitment and regulatory protection to increase the abundance of the spawning population.
- Manage with a precautionary approach due to uncertainties in population parameters.
- Manage for an annual combined sport and commercial harvest of white sturgeon to provide measurable population growth to achieve the goals of: (1) fully seeded habitats and (2) full representation of each age class within the population.
- Population Monitoring:
  - Continue young-of-the-year (YOY) sampling to track spawning success.
  - Evaluate legal-size abundance methodology to improve accuracy of estimates.
  - Continue to monitor sea lion predation for incorporation into stock status evaluations.
- The Director will provide an annual report to the Commission including a summary of the fishery, the updated stock assessment, and any recommended changes to management.

#### **Fishery Management Objectives:**

- Manage Lower Columbia River sturgeon fisheries through a three-year agreement with Oregon for 2011-2013.
- Maintain concurrent Washington and Oregon regulations in the Columbia River.

# FISH AND WILDLIFE COMMISSION

## POLICY DECISION

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- Manage fisheries over the next three years in a manner that takes into consideration projected recruitment, with the objective of increasing abundance of the legal size segment, and increasing escapement into the spawning segment of the population. Management should be based on consideration of all mortality factors, including sea lion predation and both recreational and commercial fishery related mortalities.
- The harvest level for 2011-2013 fisheries will be reduced from the 2010 level to the extent that the reduction:
  - Addresses the downward trend in legal size abundance expected through 2011.
  - Accounts for increased predation by sea lions.
  - Addresses uncertainty in expected increased recruitment to legal-size in the near term (2012-2014).
  - Addresses expected low recruitment to legal-size beginning in 2015-2016.
  - Provides for fishery stability.
- Maintain the 80/20 sport/commercial harvest allocation.
- Maintain viable and diverse recreational and commercial fishing opportunities.
- Develop sport fishery regulations consistent with the following objectives:
  - Minimize emergency in-season action.
  - Balance catch between estuary and non-estuary fisheries and maintain a diverse array of sturgeon fishing opportunity.
  - Maintain fishery monitoring and management capabilities.
- Develop commercial fishery regulations consistent with the following objectives:
  - Optimize economic value (adjust to market needs).
  - Spread harvest opportunity throughout the year.
  - Minimize impacts to green sturgeon listed under the Endangered Species Act.
- Provide sufficient sturgeon spawning sanctuaries or other protection measures where and when appropriate.
- Conduct research, within available resources, to assess spawner and sublegal abundance and to quantify impacts of commercial and recreational fisheries on these abundances.
- Manage sturgeon harvests outside the mainstem lower Columbia River consistent with Lower Columbia River sturgeon conservation and management needs.
- Provide appropriate added protective measures to prevent further decline of green sturgeon.
- Limit incidental impacts on other species.

### **Delegation of Authority**

The Commission delegates the authority to the Director to develop and negotiate a new three-year (2011-2013) Lower Columbia Sturgeon Management Accord that is consistent with these policies and objectives. Additionally, the Commission delegates the authority to the Director, through the Columbia River Compact, to set seasons for recreational and commercial fisheries in the Columbia River, and to adopt permanent and emergency regulations to implement these fisheries. The Director shall work with the Oregon Department of Fish and Wildlife to achieve implementation of this Commission action in a manner that results in concurrent regulations between the two states. The Director shall consult with the Commission Chair if it becomes necessary to deviate from the Commission's policy to achieve concurrent regulations with Oregon.