

OREGON AND WASHINGTON DEPARTMENTS OF FISH AND WILDLIFE
JOINT STAFF REPORT - WINTER FACT SHEET NO. 3
Columbia River Compact/Joint State Hearing
February 11, 2009

Fisheries under consideration:

- Non-Indian commercial salmon fishing plans and regulations
- Select Area commercial fisheries (February-April)
- Non-Indian recreational salmon fisheries (through April)

Management guidelines and run forecasts for the 2009 spring season were presented in Winter Fact Sheet #2 (January 29, 2009)

- Consistent with guidance from the Washington Fish and Wildlife Commission (WFWC), staff has limited fishery recommendations to only include those fisheries occurring through the month of April.
- Staff assumptions for modeling fisheries for March and April fisheries included:
 - 55% sport allocation and 40% commercial (5% unused).
 - 0.15% impacts allocated to Select Area fisheries.
 - 75% of the total recreational impacts allocated to the fishery downstream of Bonneville Dam.
 - Buffers of 20% for recreational fisheries and 40% for commercial fisheries.

2009 Winter/Spring Salmon Commercial Fishery

- Since 2004, a commercial fishing plan has been developed in cooperation with the Columbia River Commercial Fishing Advisory Group (CRCAG) to maximize the catch of hatchery spring Chinook and minimize handle of ESA-listed upriver spring/summer Chinook and wild winter steelhead.
- The fishing plan is similar to the 2008 plan, and is recommended by the Joint Staff for the 2009 winter/spring season.

2009 Winter/Spring Preseason Commercial Fishing Plan

- ✓ Test fishing below the mouth of the Willamette River to occur weekly during March to maintain a historical database and provide information on run strength and stock mix.
- ✓ Test fishing above the mouth of the Willamette River to occur prior to all full fleet fisheries to evaluate abundance of steelhead and spring Chinook and mark rate of spring Chinook. Test fishing may be conducted after the season is complete in an effort to continue to collect data that will contribute to the existing database.
- ✓ Full fleet fishery will occur upstream of the Willamette River, and will most likely occur on Tuesdays (between Monday night and Wednesday morning) each week, but may be scheduled on other days in order to maintain flexibility in developing fishing seasons.
- ✓ Fisheries may be conducted during daylight and nighttime hours.
- ✓ Manage mainstem commercial fisheries to remain within commission allocation guidelines.
- ✓ Additional fisheries may occur after run size updates are available.

- The fishing plan allows for test fishing, which provides in-season data necessary for making orderly fishery management decisions. The plan also allows for timely adoption of fishing seasons.
- In addition to the fishing plan, a set of general regulations has been adopted annually prior to the onset of season setting to reflect management intent and allow commercial fishers to prepare for upcoming seasons. The regulations are similar to those used in 2008 and are recommended by the Joint Staff for the 2009 winter/spring season.

| <i>2009 Commercial Spring Chinook Regulations</i> | |
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| Season: | Individual fishing periods will not exceed 24 hours in length. |
| Area: | Hayden Island powerlines (west towers) upstream to the upper commercial fishing deadline at Beacon Rock. |
| Sanctuaries: | Sandy and Washougal River sanctuaries. |
| Gear: | 8" minimum and 9¾" maximum mesh sizes during large mesh fishery. 4¼" maximum mesh size during tangle net fishery. Use of monofilament tangle nets <u>not</u> allowed. Net length not to exceed 150 fathoms except tangle nets fitted with a steelhead excluder may be 175 fathoms. |
| Allowable Sales: | Adipose fin-clipped Chinook salmon, white sturgeon, and shad. |
| Participants: | Licensed Columbia River commercial fishers that have completed the required state-sponsored workshop concerning live capture commercial fishing techniques. |
| Miscellaneous Regulations: | As a condition of fishing, owners or operators of commercial fishing vessels must cooperate with observers collecting data for the Departments, when notified by the observer of their intent to board the commercial vessel for observation and sampling during an open fishery. <u>Soak time</u> , defined as time elapsed from when first mesh enters the water to when last mesh leaves the water, must not exceed 45 minutes. <u>Red corks</u> are required at 25-fathom intervals and red corks must be in contrast to the corks used in the remainder of the net. Use of <u>recovery boxes</u> is required on all lethargic or bleeding salmon or steelhead. Each vessel participating in this fishery is required to have 2 operable recovery boxes or 1 box with 2 chambers. Operable recovery boxes require a flow of 16-20 gallons per minute to each chamber of the box(es). Each box must be operating during any time that the net is being retrieved or picked. <u>Lighted buoys</u> are required on each end of nets being fished between sunset and sunrise. 24-hour Quick Reporting Rule in effect for Washington buyers. |

- The 2009 commercial fishing protocol specified a total winter season harvest of 1,700 white sturgeon. To remain within the guideline, the January 29, 2009 Compact initiated weekly landing limits of 12 fish per vessel for the remaining four fishing periods of the season.
- As of February 6, 66 white sturgeon remain on the guideline for the winter season. One more fishing period is scheduled to occur Thursday-Friday (Feb. 12-13).
- If the total catch this week is the same as last week (140), total harvest for the season will be 1,774, or 74 fish over the guideline. Allowing the fishery to proceed as scheduled will not jeopardize allocation or policy agreements, but any overage in the winter/spring guideline will need to be absorbed in future (summer/fall) commercial fisheries.

2009 Mainstem Spring Chinook Recreational Fishery

- Staff has developed three options for the recreational fishery downstream of Bonneville Dam based on the management objectives adopted by the commissions, input from the Recreational Advisor Group, and public comments from the last Compact hearing.
- Due to the dynamic nature of fisheries and fish runs, none of the options presented *guarantee* that in-season action will not be necessary.

| Recommendation: 2009 Mainstem Columbia River Spring Chinook Recreational Fishery | |
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| <u>Downstream of Bonneville Dam</u> | |
| Area and Date: | <p>Option 1: Total Angler trips = 146,000 <u>Below Hayden Island Powerlines:</u> 7 days per week from March 1 – 15, 3 days per week (Thurs-Sat) from March 19 – April 18. (March 1 – April 18; 30 fishing days)</p> <p><u>Above Hayden Island Powerlines:</u> 7 days per week from March 1 – 15, 4 days per week (Wed-Sat) from March 18 – April 22. (March 1 – April 22; 36 fishing days)</p> <p>Option 2: Total Angler trips = 139,000 <u>Below Hayden Island Powerlines:</u> 7 days per week from March 1 – 15, 3 days per week (Thur-Sat) from March 19 – April 16. (March 1 – April 16; 28 fishing days)</p> <p><u>Above Hayden Island Powerlines:</u> 7 days per week from March 1 – 30, 6 days per week (closed Tuesdays) from April 1- April 17. (March 1 – April 17; 45 fishing days)</p> <p>Option 3: Total Angler trips = 88,000 <u>Below Hayden Island Powerlines:</u> 7 days per week from March 1 – 22. (22 fishing days)</p> <p><u>Above Hayden Island Powerlines:</u> 2 days per week (Fri-Sat) from March 20 – May 2. (14 fishing days) (34 combined fishing days for both areas)</p> |
| Catch limit: | Two adult salmonids per day only one of which may be a Chinook. |
| Additional Regulations: | Only adipose fin-clipped fish may be kept. All other permanent regulations apply. For the mainstem Columbia River salmon and steelhead fishery upstream of the Rocky Point/Tongue Point line effective February 15 through June 15, it is unlawful when fishing from vessels which are less than 30 feet in length, substantiated by Coast Guard documentation or Marine Board registration, to totally remove from the water any salmon or steelhead required to be released. |

| Bonneville Dam to McNary Dam | |
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| Area and Date | Tower Island power lines (approximately 6 miles below The Dalles Dam) upstream to McNary Dam plus the Oregon and Washington banks between Bonneville Dam and the Tower Island power lines. March 16 – April 30, 2009 |
| Catch limit: | Two adult salmon <u>or</u> steelhead per day. Only adipose fin-clipped fish may be kept. All other permanent regulations apply. |

- ✓ The fishery options are consistent with policy guidance provided by the Oregon and Washington Fish and Wildlife commissions.
- ✓ Options 1 and 3 are identical to Options 1 and 3 presented at the January 29 Compact (Fact sheet #2) but Option 2 has been modified.
- ✓ Option 2 would potentially require overlap of recreational and commercial fisheries on March 17 and March 24.
- ✓ The expected harvest of Willamette hatchery-origin spring Chinook in each of the fishery options is $\leq 1,000$ fish.
- ✓ Staff will provide fishery updates beginning in early April.
- ✓ The Washington daily bag limit rules have been modified in order to have consistent rules on the Columbia River in both states. This rule change went through the public comment process and was adopted by the Washington Fish and Wildlife commission on February 6.

2009 Mainstem Steelhead and Shad Recreational Fishery

- Under permanent regulations, the mainstem Columbia River is currently open for steelhead angling from Buoy 10 to McNary Dam through March 31. The Columbia River is closed to steelhead angling below I-5 Bridge from April 1 – May 15, and above the I-5 Bridge (upstream to McNary Dam) from April 1 – June 15.
- The mainstem Columbia River upstream to Bonneville Dam is closed to shad angling during April 1-May 15 under permanent regulations.

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| <i>Recommendation: Retention of Steelhead and Shad During Spring Chinook Seasons Through May 16</i> |
| The mainstem Columbia River will be open for retention of adipose fin-clipped steelhead and shad ONLY during days and seasons open for retention of adipose fin-clipped spring Chinook. |

2009 Tributary Spring Chinook Fisheries

- No changes to permanent regulations are being recommended for spring Chinook recreational fisheries in the Sandy River, Clackamas River above the Highway 99 Bridge, or the Willamette River above Willamette Falls.
- Washington tributary fisheries will be announced at a later date.

| <i>Oregon Staff Recommendation: 2009 Willamette River Spring Chinook Recreational Fishery</i> | |
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| Area and Dates: | Downstream of Willamette Falls (Including Multnomah Channel and the lower Clackamas River downstream of Highway 99 Bridge) 7 days per week from March 1 – 15, 3 days per week (Thurs-Sat) from March 19 – April 30. (March 1 – April 30; 44 fishing days) |
| Daily Bag Limit: | Two adipose fin-clipped salmonids per day only one of which may be a Chinook. All other permanent regulations apply |
| Area and Dates: | Upstream of Willamette Falls and the Clackamas River upstream of Highway 99 Bridge Permanent regulations remain in effect |
| Miscellaneous Regulations | The mainstem Willamette River downstream of Willamette Falls (including Multnomah Channel and the Clackamas River downstream of Highway 99 Bridge) will be open for retention of steelhead and shad only during those days and seasons open for retention of adipose fin-clipped spring Chinook. After April 30, permanent rules for steelhead and shad will apply. |

- ✓ The expected catch for the proposed season is 2,500 spring Chinook, resulting in a projected harvest of 3,400-3,500 Willamette hatchery-origin spring Chinook in lower Willamette and Columbia River recreational fisheries.

2009 Smelt Update

- 2009 smelt commercial and recreational fisheries are currently in place, and scheduled to continue through March 31. All fisheries are operating under “Level One”, which is a very conservative level, allowing for minimal fishing.
- The Columbia River is open two days a week for 7- hour commercial fishing periods. Catch and effort have been minimal, likely as a result of poor migration conditions (cool river temperature). Catch through February 9 is estimated at 4,000 pounds. The Cowlitz River is also open two days a week for 6-hour commercial fishing periods. No catch has been reported to date in this area.
- Recreational fisheries are open in the Columbia River 24-hours per day seven days per week for periods. As typical for the mainstem, no catch or effort has been observed or reported. The Cowlitz River is also open on Saturdays (6A-10P) for recreation smelt dipping. Effort has been light and minimal catch has been reported.
- Although it is early in the season, catch and abundance appear to be within expectations and the season is expected to continue as scheduled. Staff will continue to track the fishery as the season progresses and recommend changes if necessary.

SELECT AREA FISHERIES

- Select Area fishery recommendations for 2009 winter, spring, and summer seasons were developed based on industry input and commission guidance. Winter and summer seasons are similar to those conducted in the past.
- Consistent with WFWC guidance, only the April portion of the spring season will be recommended at this time; staff anticipates that the remainder of the season will be adopted at a later date.

Blind Slough/Knappa Slough Commercial Fishery

- Concurrent jurisdiction waters extend downstream from the Railroad Bridge in Blind Slough and encompass all of Knappa Slough and require Compact action.
- Oregon State waters extend upstream from the Railroad Bridge and require Oregon State action.
- An Oregon license is required in Oregon State waters and either an Oregon or Washington license is required in concurrent jurisdiction waters.

| <i>Recommendation - Blind Slough/Knappa Slough Select Area</i> | |
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| Winter Season: | Sunday and Wednesday nights from February 18 through March 26 (11 nights) and Sunday nights of March 29 and April 5 (2 nights) Open hours are from 7 PM to 7 AM (12 hours) |
| Spring Season: | Monday and Thursday nights from April 16 through May 1 (5 nights). Open hours are 7 PM to 7 AM (12 hours). |
| Area: | Blind Slough area open during winter season and both Blind Slough and Knappa Slough areas open during spring season. |
| Gear: | A 7-inch minimum mesh size restriction during the winter season and an 8-inch maximum mesh size restriction during the spring season. Nets restricted to 100 fathoms in length with no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 3 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Permanent transportation regulations will be in effect. 24-hour Quick Reporting Rule in effect for Washington buyers |

- ✓ Additional fishing periods during the winter season will provide access to local stocks with minimal risk of increasing impacts to upriver stocks.

Tongue Point/South Channel Full-Fleet Commercial Test Fishery

- All waters in the Tongue Point/South Channel Select Area are under concurrent Oregon and Washington jurisdiction and require Compact action. Either a Washington or Oregon license is required in concurrent jurisdiction waters.

| <i>Recommendation– Tongue Point/South Channel Select Area</i> | |
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| Spring Season: | Monday and Thursday nights from April 20 through May 1, 2009 (4 nights) Open hours are 7 PM to 7 AM (12 hours). |
| Area: | <p>The spring season Tongue Point fishing area includes all waters bounded by a line extended from the upstream (southern most) pier (#1) at the Tongue Point Job Corps facility through navigation marker #6 to Mott Island (new spring lower deadline), a line from a marker at the southeast end of Mott Island northeasterly to a marker on the northwest tip of Lois Island, and a line from a marker on the southwest end of Lois Island westerly to a marker on the Oregon shore.</p> <p>The South Channel area includes all waters bounded by a line from a marker on John Day Point through the green USCG buoy #7 to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to the flashing red USCG marker #10, northwesterly to a marker on Burnside Island defining the upstream terminus of South Channel.</p> |
| Gear: | <p>In the Tongue Point fishing area, gear restricted to 8-inch maximum mesh size, maximum net length of 250 fathoms, and weight not to exceed two pounds on any one fathom.</p> <p>In the South Channel fishing area, gear restricted to 8-inch maximum mesh size, maximum net length of 100 fathoms, and no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed.</p> |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 3 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Transportation or possession of fish outside the fishing area is unlawful until ODFW staff has biologically sampled individual catches. A sampling station will be established at the MERTS dock. After sampling, fishers will be issued a transportation permit by agency staff. |
| 24-hour Quick Reporting Rule in effect for Washington buyers | |

- ✓ Test fishing will be conducted during the week prior to the recommended opener in order to gauge whether the proposed start date should be postponed.
- ✓ Given the new lower deadline and the delayed season opening, impacts to non-target stocks will likely be minimal.

Deep River Commercial Fishery

- Concurrent jurisdiction waters extend downstream from the Highway 4 Bridge and require Compact action.
- Either a Washington or Oregon license is required in concurrent jurisdiction waters.

| <i>Recommendation - Deep River Select Area</i> | |
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| Winter Season: | Monday nights from February 16 through March 10 (4 nights) Open hours are from 7 PM to 7 AM (12 hours) |
| Spring Season: | Monday and Thursday nights from April 16 through May 1. Open hours are 7 PM to 7 AM (12 hours). |
| Area: | Deep River fishing area from the markers at USCG navigation marker #16 upstream to the Highway 4 Bridge (all concurrent water) |
| Gear: | 7-inch minimum mesh size restriction during the winter season and an 8-inch maximum mesh size restriction during the spring season. Nets restricted to 100 fathoms in length with no weight restriction on leadline. Use of additional weights or anchors attached directly to the leadline is allowed. Nets cannot be tied off to stationary structures. Nets may not fully cross navigation channel. |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 3 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Transportation or possession of fish outside the fishing area (except to the sampling station) is unlawful until WDFW staff has biologically sampled individual catches. After sampling, fishers will be issued a transportation permit by agency staff. During the winter season arrangements must be made with Jeremy Wilson at 360-795-0319 for the place and time of sampling. In, the spring season a sampling station will be established downstream of the Highway 4 Bridge at the upper pen site at Stephen’s dock. |
| 24-hour Quick Reporting Rule in effect for Washington buyers | |

- ✓ Split fishing periods allow for fishery modifications as needed to maximize catch of SAFE stock spring Chinook and minimize handle of listed species.

Youngs Bay Commercial Fishery

- All waters in Youngs Bay are Oregon State waters and require Oregon State action.
- Valid commercial fishing and boat licenses issued by the state of Washington are adequate for participation the Youngs Bay fishery. Per permanent rule, all landings from Youngs Bay must be delivered to an Oregon licensed buyer.

| <i>Recommendation - Youngs Bay Select Area</i> | |
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| Winter Season: | <p><u>Entire bay:</u> Sunday and Wednesday nights from February 15 through March 9 (7 nights). Open hours are from noon to 6 AM (18 hours).</p> <p><u>Upstream of Old Youngs Bay Bridge:</u> 6 PM Wednesday March 11 to 6 AM Thursday March 12 (12 hours) 6 PM Sunday March 15 to 6 AM Monday March 16 (12 hours) 6 PM Sunday March 22 to 6 AM Monday March 23 (12 hours) 9 AM to 1 PM Monday March 30 (4 hours) 4 AM to 8 AM Monday April 6 (4 hours)</p> |
| Spring Season: | <p><u>Entire bay:</u> 6 PM Thursday April 16 – 6 AM Friday April 17 (12 hours) 6 PM Monday April 20 – 6 AM Tuesday April 21 (12 hours) 6 PM Thursday April 23 – 6 AM Friday April 24 (12 hours)</p> <p>6 PM Monday April 27 - noon Tuesday April 28 (18 hours) 6 PM Thursday April 30 - noon Friday May 1 (18 hours)</p> |
| Summer Season: | <p><u>Entire bay:</u> Wednesdays through Fridays from June 17 to July 31 (14 days). Open hours are from 6 AM Wednesday to 6 AM Friday.</p> |
| Area: | <p><u>February 15 through March 9 and April 16 through July 31:</u> Youngs Bay fishing area with upper boundary at the confluence of the Youngs and Klaskanine rivers.</p> <p><u>March 11 through April 6</u> Old Youngs Bay Bridge upstream to the confluence of the Youngs and Klaskanine rivers.</p> |
| Gear: | <p>A 7-inch minimum mesh size restriction during the winter season and an 8-inch maximum mesh size restriction during the spring and summer seasons.</p> <p>Maximum net length of 250 fathoms and weight on leadline not to exceed two pounds in any one fathom. Red corks are required at 25-fathom intervals and red corks must be in contrast to corks used in the remainder of the net.</p> <p>Use of additional weights or anchors attached directly to the leadline is allowed upstream of markers located approximately 200 yards upstream of the mouth of the Walluski River.</p> |
| Allowable Sales: | Salmon, white sturgeon, and shad. A maximum of 3 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday). |
| Miscellaneous Regulations: | Permanent transportation rules will be in effect. |

- ✓ Winter fishing periods after mid-March provide additional harvest opportunity for local stocks and minimize impacts to upriver stocks.
- ✓ The summer fishery will provide harvest opportunity on remaining local spring Chinook and early returning Select Area bright (SAB) fall Chinook while allowing for SAB broodstock escapement.

2009 Select Area Recreational Fisheries

- In order to ease enforcement of co-occurring recreational fisheries in Select Areas and the mainstem Columbia River, the Joint Staff recommends that bag limits in Select Area recreational fisheries be modified to match those of the Columbia River when these fisheries are open concurrently.

| <i>Recommendation - Select Area Recreational Fisheries</i> |
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| <p>When the mainstem Columbia River recreational fishery below the Hayden Island Powerlines is open to retention of Chinook, the daily bag limit in Oregon and Washington Select Areas may not include more than one adipose fin clipped Chinook.</p> <p>All other permanent regulations apply, including retention of up to two adipose fin-clipped Chinook in Select Areas on days when the mainstem fishery is <u>closed</u> to Chinook retention.</p> |

| <i>Issues Requiring Compact/Joint State Consideration</i> |
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| <ul style="list-style-type: none"> ➤ Non-Indian commercial salmon fishing plan and gear regulations (pages 1-2). ➤ Non-Indian spring Chinook recreational fishing season (page 3-4). ➤ Steelhead and shad retention during the non-Indian spring Chinook recreational fishery (page 4). ➤ Willamette River spring Chinook recreational fishing season – Oregon state action (page 5). ➤ Blind Slough/Knappa Slough commercial fisheries - Compact and Oregon state action (page 6). ➤ Tongue Point Select Area commercial fisheries (page 7). ➤ Deep River Select Area commercial fisheries (page 8). ➤ Youngs Bay Select Area fisheries - Oregon state action (page 9). ➤ Select Area recreational fisheries – Compact and Oregon and Washington state action (page 10). |

FUTURE MEETINGS

- The Joint Staff is not recommending any additional Compact hearings at this time.