

OREGON AND WASHINGTON DEPARTMENTS OF FISH AND WILDLIFE
JOINT STAFF REPORT - WINTER FACT SHEET NO. 1
Columbia River Compact/Joint State Sport Hearing
December 18, 2008

Fisheries under consideration: Non-Indian commercial sturgeon and smelt Recreational sturgeon and smelt
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MANAGEMENT GUIDELINES

White Sturgeon

- A Joint State Agreement has been in effect and renewed every three years since 1997 with adjustments as necessary to protect sturgeon populations while maintaining harvest opportunity. The Fish and Wildlife Commissions of Oregon and Washington met in early December and agreed to extend the current 2006-2008 agreement (and associated fishery protocols) through 2009, pending completion of white sturgeon conservation and management plans currently underway in both states.

<i>Major Tenets of 2006-2009 Sturgeon Fishery Management</i>
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| <ul style="list-style-type: none">✓ Sturgeon fisheries will be managed for an average annual harvestable number of 40,000 white sturgeon unless new information warrants a change.✓ The harvestable number is to be allocated 80% (32,000 fish) recreational and 20% (8,000 fish) commercial.✓ Allocate 60% of the recreational harvest to the area downstream of the Wauna powerlines and 40% to the area upstream.✓ Recreational size limit was 42-60 inches total length (2006-2008) and 38-54 inches fork length (2009) with catch limits of one fish per day and five fish per year.✓ Commercial target seasons are allowed, as necessary, to access allocation and maximize economic benefit consistent with conservation objectives for other species.✓ Provide regulatory protection to safeguard the broodstock population. |
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- Retention of green sturgeon in the Columbia River has been prohibited since July 7, 2006 in commercial fisheries and since January 1, 2007 in recreational fisheries following the ESA listing (threatened) of the Southern Distinct Population Segment.
- Effective January 1, 2009, Oregon and Washington will convert from a total length to a fork-length measurement standard for all non-Indian fisheries. The conversions for current slot measurements are as follows:

42-inch total length = 38-inch fork length
45-inch total length = 41-inch fork length
48-inch total length = 43-inch fork length
60-inch total length = 54-inch fork length

Recreational Sturgeon Fishery

- Staff met with the Columbia River Recreational Advisory Group on December 2, 2008 to review white sturgeon stock status, updated 2008 harvest estimates for the mainstem Columbia and lower Willamette rivers, and revised harvest guidelines for 2009.

<i>Protocol for Regulations Regarding White Sturgeon Retention in Recreational Fisheries During 2009.</i>
<p style="text-align: center;">Fishery Objectives</p> <ul style="list-style-type: none">✓ Minimize emergency in-season action.✓ Balance catch between estuary and non-estuary and maintain diverse recreational fishing opportunities.✓ Maintain fishery monitoring and management capabilities. <p style="text-align: center;">Catch Guideline and Allocation</p> <ul style="list-style-type: none">✓ Allocate the 32,000 catch guideline 60% (19,200 fish) for fisheries below the Wauna powerlines (estuary) and 40% (12,800 fish) for fisheries above the Wauna powerlines.<ul style="list-style-type: none">• The estuary fishery will be managed with a 41-inch minimum fork length size limit instead of the 38-inch minimum during the spring/summer retention season in order to reduce catch rates and extend the season.• The spring/summer season is expected to begin the second Saturday in May and continue through July 4 or until the harvest guideline is achieved.• The estuary fishery harvest guideline of 19,200 fish (management target plus buffer) translates to 16,000 fish from 41-54 inches fork length (effective 2004).✓ Retention restrictions include Youngs Bay and the Willamette River upstream to Willamette Falls.

Commercial Sturgeon Fishery

- Staff met with the Columbia River Commercial Advisory Group on December 2, 2008 and developed season-specific allocations for 2009 commercial fisheries as follows:

<i>Protocol For Management of White Sturgeon Retention in Commercial Fisheries During 2009</i>
<ul style="list-style-type: none">✓ Mainstem commercial fisheries should be managed for white sturgeon catch expectations of 1,700 for the winter sturgeon fishery (no specific allocation for the winter salmon fishery), 600 fish for summer fisheries, 2,000 fish for early fall (August) fisheries, and 3,300 fish for the late fall timeframe. Any remaining fish from winter/spring/summer will be rolled over to fall fisheries and split evenly between the early and late fall seasons.✓ Manage for a commercial harvest of 8,000 white sturgeon remaining on the cumulative 4-year guideline.✓ Landings during SAFE commercial fisheries are not to exceed 400 white sturgeon for the entire year with winter/spring/summer fisheries not to exceed 300.✓ Allow some level of incidental white sturgeon harvest to occur during all target salmon seasons.✓ Conduct limited target white sturgeon fisheries during the winter timeframe if feasible.✓ Conduct target white sturgeon fisheries during October if necessary to access the commercial allocation.✓ Adopt white sturgeon possession and landing limits if necessary to remain within season-specific catch expectations or to provide white sturgeon for harvest during subsequent salmon seasons.✓ Joint Staff will conduct an annual post-season evaluation of white sturgeon with industry.

Smelt

- A Washington and Oregon Eulachon Management Plan has been in effect since 2001 that provides for three levels of fishing based on:
 - 1) Parental run strength,
 - 2) Juvenile production, and
 - 3) Estimates of ocean productivity.

<i>Fishery Structure Contained in the Washington and Oregon Eulachon Management Plan</i>
<ul style="list-style-type: none">• Fishery recommendations apply to the January - March timeframe, otherwise permanent regulations remain in effect.
<p style="text-align: center;"><u>Level One</u></p>
<ul style="list-style-type: none">✓ Great uncertainty in run strength or indications of a poor return.✓ Commercial fisheries are limited to one 12-24 hour fishing period per week for the Columbia and Cowlitz rivers.✓ Tributary sport fisheries would also consist of one 12-24 hour fishing period per week in the Cowlitz River.
<p style="text-align: center;"><u>Level Two</u></p>
<ul style="list-style-type: none">✓ Promising abundance in the spawning return and productivity indices that are favorable, yet it is still uncertain whether the run is moderate or strong.✓ Commercial fisheries would consist of two or three days per week in the Columbia and Cowlitz rivers.✓ Tributary sport fisheries could be increased to two or three days per week.✓ Consider expansion of sport and commercial fisheries into other lower Columbia River tributaries.
<p style="text-align: center;"><u>Level Three</u></p>
<ul style="list-style-type: none">✓ Very positive indicators of strong abundance and productivity.✓ Commercial fisheries would consist of up to four days per week in the Columbia River and all lower Columbia River tributaries.✓ Tributary sport fisheries should be opened in all tributaries for four to seven days per week.

STOCK STATUS

White Sturgeon

- Overall, the lower Columbia River white sturgeon population is considered healthy, but some trends indicate a declining abundance of sub-legal white sturgeon.
- The most recent abundance estimate of 131,700 legal-size (38"-54" fork length) white sturgeon indicates this population segment has remained stable since 1999.
- Catch per angler trip of sub-legal (<42 inches) white sturgeon has decreased annually since 2004.
- Predation by sea lions continues to jeopardize the health of the lower Columbia River white sturgeon population.
- In March 2006 and February 2007, the states implemented hazing of sea lions in an attempt to reduce predation on adult white sturgeon below Bonneville Dam. This program was expanded to cover three months (December-February) in 2008 and is planned for January-February 2009.

<i>Estimated Abundance of Harvestable White Sturgeon in the Lower Columbia River, 1987-2007.</i>			
Year	Fork Length Interval (inches)		
	38-43	43-54	38-54
1987	75,900	28,100	104,000
1988	34,400	33,700	68,100
1989	31,900	16,800	48,700
1990	25,800	12,000	37,800
1991	32,500	11,700	44,200
1992	70,400	8,700	79,100
1993	115,500	14,200	129,700
1994 ¹	N/A	N/A	N/A
1995	143,200	59,000	202,200
1996	137,100	33,500	170,600
1997	146,600	27,700	174,300
1998	116,800	23,900	140,700
1999	116,800	17,700	134,500
2000	117,300	17,400	134,700
2001	102,200	25,300	127,500
2002	87,400	34,200	121,600
2003	85,000	46,200	131,200
2004 ¹	N/A	N/A	N/A
2005	106,900	30,000	136,900
2006	88,100	35,300	123,400
2007 ²	102,800	28,900	131,700

1. Abundance estimates for 1994 and 2004 were not developed due to data collection and modeling concerns.
2. Preliminary data.

Smelt

- Columbia River smelt were petitioned in 2007 for listing as threatened or endangered under ESA. The NMFS found that the petitioned action may be warranted and conducted a status review. A determination by NMFS is expected some time this month.
- Smelt abundance declined in 2005 and has since remained at low levels.
- Positive abundance indicators for 2009 include:
 - ✓ Improved ocean survival rates due to cooling ocean conditions and a weak La Nina in 2008.
 - ✓ A slight increase in total smelt biomass tonnage in the Canadian ocean shrimp fisheries in 2008.
 - ✓ A low but improving level of Age 2 bycatch in the Canadian ocean shrimp fisheries during 2008.
- Negative abundance indices for 2009 include:
 - ✓ Low mainstem Columbia River larval densities during the winters of 2004 through 2006.
 - ✓ A significant overall decline in smelt bycatch in the Canadian ocean shrimp fisheries since 2002.
 - ✓ Low levels of Age 1 bycatch in Canadian ocean shrimp fisheries during 2004-2007.

FISHERIES REVIEW

2008 Winter Commercial Sturgeon Fishery

- The winter sturgeon gillnet fishery consisted of 11 fishing periods (18-24 hours) from January 8 through February 29. Catch was below expectations with 869 white sturgeon landed from the 1,600 allocation.
- A total of 14 adipose fin-clipped spring Chinook were also landed.

2008 Recreational Sturgeon Fishery

Above Wauna:

- In 2006, harvest in the mainstem Columbia River above Wauna was 8,545 fish and harvest in the lower Willamette River was 2,152 fish over the baseline (1,225 fish), for a total harvest of 10,697, and an unused harvest of 2,103 fish that carried over equally to 2007 and 2008.
- Final catch estimates for 2007 above Wauna were 10,675 for the Columbia River with an additional 4,641 fish above baseline caught in the Willamette, for a total harvest of 15,316. This was 1,464 fish over the available guideline for 2007 and reduced the 2008 guideline by 413 fish to 12,387.
- The projected 2008 harvest for the above Wauna area is 8,121 fish, with an additional 5,798 harvest (above baseline) estimated for the Willamette, for a total harvest of 13,919 fish, or 1,532 fish over the 2008 guideline.
- The 2008 overage reduces the 2009 guideline for the area above Wauna to 11,268 fish available for harvest.

Below Wauna:

- Beginning in 2004, the annual harvest guideline for the area below Wauna was reduced to 16,000 white sturgeon to account for the change to a 45-inch minimum total length size limit during the spring/summer timeframe in this area.
- The 2008 recreational fishery below Wauna was managed for a total harvest not to exceed 13,143 white sturgeon, which included catch of 2,857 fish over the 2007 guideline.
- The final estimated catch of 13,614 for 2008 in the below Wauna area was 471 fish over the guideline, leaving 15,529 fish available for 2009.

2008 Lower Columbia River Sturgeon Recreational Fishing Seasons

Area	Planned Season Structure	Final Season Structure
<u>Above Wauna</u>		
➤ Sturgeon retention allowed Thursdays, Fridays, Saturdays, and Sundays only.	January 1-July 31	As proposed
➤ Sturgeon retention not allowed.	August 1-September 30	Modified in-season
➤ Sturgeon retention allowed Thursdays, Fridays, Saturdays, and Sundays only.		August 1-September 30
➤ Sturgeon retention allowed Thursdays, Fridays, Saturdays, and Sundays only.	October 1-December 31	As proposed
<u>Below Wauna</u>		
➤ Sturgeon retention allowed seven days per week, 42-inch minimum total length size limit.	January 1-April 30	As proposed
➤ Sturgeon retention not allowed.	May 1- May 9	As proposed
➤ Sturgeon retention allowed seven days per week, 45-inch minimum total length size limit.	May 10-June 24	As proposed
➤ Sturgeon retention not allowed.	June 25 – December 31	Modified in-season
➤ Sturgeon retention allowed July 10-12, July 17-19, July 26		

2006-2009 Lower Columbia River White Sturgeon Recreational Harvest

Area	2006	2007	2008	2009
<u>Above Wauna</u>				
Management target	12,000	12,000	12,800	12,800
Management buffer	+ 800	+ 800		
No. remaining from guideline	<u>0</u>	<u>+ 2,103</u>	<u>-413</u>	<u>-1,532</u>
Guideline	12,800	14,903	12,387	11,268
Willamette adjustment	- 2,152	- 4,641	-5,798	
Harvest (projected for 2008)	<u>- 8,545</u>	<u>-10,675</u>	<u>-8,121</u>	
No. remaining from guideline	+ 2,103	- 413	-1,532	
<u>Below Wauna</u>				
Management target	15,000	15,000	16,000	16,000
Management buffer	+1,000	+1,000		
No. remaining from guideline	<u>0</u>	<u>+ 274</u>	<u>- 2,857</u>	<u>-471</u>
Guideline	16,000	16,274	13,143	15,529
Harvest	<u>-15,726</u>	<u>-19,131</u>	<u>-13,614</u>	
No. remaining from guideline	+ 274	- 2,857	-471	

2008 Columbia River Commercial Smelt Fishery

- 2008 smelt fisheries were managed at a conservative Level One in accordance with the Washington and Oregon Eulachon Management Plan. The Compact adopted a season consisting of two 9-hour weekly fishing periods (7 AM to 4 PM every Monday and Thursday) from January 1 through March 31. The fishery was conducted without the need for in-season management.
- Commercial landings totaled 11,381 pounds in the mainstem Columbia River.

December 2008 Columbia River Commercial Smelt Fishery

- As per permanent regulations, the commercial fishery in the mainstem Columbia River is open seven days per week during December.
- To date, there are no reports of smelt being landed.
- During the first 15 days in December water temperature in the upper Columbia River estuary has dropped from 50°F to 43°F and average daily flow at Bonneville Dam has ranged between 114-152 kcfs.
- Water temperatures to date are normal for December and have been favorable for smelt migration, although the recent cold fronts will likely lead to less favorable conditions.

FISHERY PROPOSALS

2009 Winter Commercial Sturgeon Season

<i>Joint Staff Recommendation - winter commercial white sturgeon</i>		
Season:	6 PM Tuesday January 6 – 6 PM Wednesday January 7, 2009	(24 hours)
	6 PM Tuesday January 13 – 6 PM Wednesday January 14, 2009	(24 hours)
	6 PM Tuesday January 20 – 6 PM Wednesday January 21, 2009	(24 hours)
	6 PM Tuesday January 27 – 6 PM Wednesday January 28, 2009	(24 hours)
	6 PM Tuesday February 3 – 6 PM Wednesday February 4, 2009	(24 hours)
	6 PM Thursday February 5 – noon Friday February 6, 2009	(18 hours)
	6 PM Tuesday February 10 – 6 PM Wednesday February 11, 2009	(24 hours)
	6 PM Thursday February 12- noon Friday February 13, 2009	(18 hours)
Area:	Zones 1 - 5.	
Gear:	9" minimum and 9 ¾" maximum mesh size restrictions.	
Allowable Sales:	White sturgeon (43-54 inch fork length) and adipose fin-clipped salmon.	
Sanctuaries:	Sandy River sanctuary.	
Miscellaneous:	24-hour Quick Reporting Rule in effect for Washington buyers.	

- This proposal was supported by the Columbia River Commercial Advisory Group and is consistent with white sturgeon management protocols.
- Staff will monitor weekly landings and consider in-season adjustments as needed, including weekly landing limits or additional fishing days per week to optimize harvest while remaining within the season-specific guidelines.

2009 Recreational Sturgeon Seasons

<i>Sturgeon Recreational Fishery Recommendation for Above Wauna</i>	
Area:	Mainstem Columbia River from the Wauna powerlines upstream to Bonneville Dam, all adjacent Washington tributaries, and the lower Willamette River upstream to Willamette Falls, including Multnomah Channel.
Retention Seasons:	Option 1: January 1 – July 31 and October 1 – December 31, 2009 Retention allowed Thursdays, Fridays, and Saturdays only Option 2: January 1 – September 30 and October 1-December 31, 2009 Retention allowed Fridays and Saturdays only during January-September Retention allowed Thursdays, Fridays, and Saturdays during October-December
Other restrictions:	Retention of green sturgeon prohibited as per permanent regulations 38-inch minimum fork length and 54-inch maximum fork length
Expected catch:	Option 1: 12,100 kept (7,650 in the Columbia and 4,450 in the Willamette River) Option 2: 11,000 kept (7,500 in the Columbia and 3,500 in the Willamette River) (Available guideline is 11,268)

<i>Sturgeon Recreational Fishery Recommendation for Below Wauna</i>	
Area:	Mainstem Columbia River from the Wauna powerlines downstream to the mouth at Buoy 10, including Youngs Bay, and all adjacent Washington tributaries.
Retention Seasons:	Option 1: January 1 – April 30, May 9 – July 2 Option 2: January 1-April 30, May 9-June 28; and July 2-5 Option 3: January 1 – April 30, May 9 – June 21, June 25-28, July 2-5, July 10-11
Other restrictions:	38-inch minimum fork length during January 1 through April 30 41-inch minimum fork length during May 9 through remainder of season 54-inch maximum fork length in effect throughout season Retention of green sturgeon prohibited as per permanent regulations.
Expected catch:	Option 1: 15,300 kept Option 2: 15,500 kept Option 3: 15,500 kept (Available guideline is 15,529)

- These proposals are consistent with white sturgeon management protocols and are similar to those presented to the Columbia River Recreational Advisory Group.
- Option 1 for the above Wauna fishery is projected to exceed the available guideline by about 800 fish. Given the length of the season, opportunity exists to modify the fall fishery based on the performance of the spring fishery.
- Season options for the below Wauna fishery have been adjusted slightly from those presented to the advisor group to represent staff’s best point-estimate of catch.
- Staff will monitor white sturgeon harvest as the season progresses with a fishery checkpoint scheduled for early June. Staff will recommend any in-season fishery modifications if necessary at that time.

2009 Treaty Indian Sturgeon Fisheries

- Under permanent rules, a treaty Indian commercial setline season occurs annually from noon January 1 to noon January 31.
- The current size limits for sturgeon caught for tribal subsistence and commercial purposes are 48-60 inches total length in The Dalles and John Day pools and 42-60 inches total length in the Bonneville Pool.
- The Sturgeon Management Task Force (SMTF) will meet in early 2009 to review stock status and develop recommendations for 2009 Zone 6 sturgeon management.

2008 Commercial Tributary Smelt Fisheries

- Consistent with Level One fisheries, the Cowlitz River was open to commercial fishing 6 PM to midnight on Sundays and Wednesdays from January 1 - March 31, 2008.
- The Sandy River in Oregon was open year-round, 7 days/week, 24 hours/day, per permanent regulations.
- Commercial landings totaled 5,900 pounds in the Cowlitz River. No smelt were reported landed in the Sandy River.

2008 Recreational Smelt Fisheries

- Consistent with Level One fisheries, the Cowlitz River was open to sport dipping 6 AM to 10 PM Saturdays from January 1-March 31, 2008.
- The daily limit in the Washington sport fishery was 10 pounds per person.
- Very limited numbers of smelt were reported dipped from the Cowlitz River in January and February.
- Oregon allows recreational fisheries in the mainstem Columbia River and Oregon tributaries seven days per week the entire year under permanent rules.

2009 Mainstem Columbia River Smelt Fisheries

Commercial Mainstem Smelt Fishery Recommendation	
Season:	Close ongoing 7-day per week fishery effective January 1, 2009 and adopt a Level One fishery consisting of 7-hour weekly fishing periods on Mondays and Thursdays from January 1, 2009 through March 31, 2009. Open hours are 7 AM to 2 PM.
Area:	Zones 1-5.
Gear:	Gill net, dip nets, or trawls as per permanent regulations.
Miscellaneous:	24-hour Quick Reporting Rule in effect for Washington buyers.

- The proposed season is consistent with a Level One fishery as described in the Joint State Eulachon Management Plan.
- Staff is recommending a slight reduction in hours compared to recent years for the mainstem commercial fishery. This is in response to a continuation of very low abundance levels. The

recommendation will continue to provide a minimal test fishery while maintaining a historic index of run strength.

- Anticipated low participation, in combination with the proposed fishery structure, will allow staff to track harvest and make any in-season modifications necessary.
- A fishery checkpoint will occur in mid-February to review smelt run status and consider any necessary modifications to the proposed season.

<i>Washington State Recreational Mainstem Smelt Fishery Recommendation</i>	
Season:	Open 7 days a week, 24-hours a day during January 1 through March 31, 2009.
Area:	Zones 1-5.
Limit:	25 pounds per person
Miscellaneous:	Concurrent with permanent rules in Oregon

2009 Washington Tributary Smelt Fishery

<i>2009 Washington Tributary Commercial Fishery Recommendation</i>	
Season:	6 PM to midnight Sundays (6 hours) and 6 PM to midnight Wednesdays (6 hours) from January 1 through March 31, 2009.
Area:	Cowlitz River (downstream of Peterson's Eddy).
Gear:	Dip nets.
Miscellaneous:	24-hour Quick Reporting Rule in effect for Washington buyers.

<i>2009 Washington Tributary Sport Fishery Recommendation</i>	
Season:	6 AM to 10 PM Saturdays from January 1 through March 31, 2009.
Area:	Cowlitz River.
Daily Limit:	10 pounds per person.

- Staff will monitor harvest as the season progresses with a fishery checkpoint scheduled for mid-February. Staff will recommend any in-season fishery modifications if necessary at that time.

FUTURE MEETINGS

The next Compact/Joint State Hearing is scheduled for 10 AM Thursday, January 29, 2009 in Oregon City, Oregon at the Clackamas County Historical Society, 211 Tumwater Drive 97045. Topics for this meeting will include salmon, steelhead, sturgeon and shad stock status, and non-Indian recreational and commercial fishing seasons in the Columbia River and Select Areas.