

**OREGON AND WASHINGTON DEPARTMENTS OF FISH AND WILDLIFE  
JOINT STAFF REPORT - WINTER FACT SHEET NO. 2  
Columbia River Compact/Joint State Hearing  
January 29, 2009**

***Fisheries under consideration:***

- Non-Indian commercial sturgeon fisheries.
- Treaty Indian winter gillnet and platform sales.

**The agencies will not consider non-Indian Chinook and shad fisheries at this time. However, they will discuss potential options and take testimony.**

<i>Columbia River Salmon and Steelhead – 2009 Forecasts and 2008 Returns</i>				
Run	2009 Forecast		2008	
			Preseason Forecast	Actual Return
<b><u>Spring Chinook</u></b>				
<b>Willamette</b>	37,000	Slightly better than 2008, lower % hatchery fish	34,000	27,000
<b>Cowlitz</b>	4,100	62% of the recent 10-year average	5,200	2,700
<b>Kalama</b>	900	Lowest return since 1998	7,300	1,600
<b>Lewis</b>	2,200	About half the recent 10-year average	3,500	2,400
<b>Sandy</b>	5,200	Based on the recent 3-yr ave.	6,800	6,800
<b>Select Areas</b>	4,800	Below average and slightly improved over 2008	3,700	3,600
<b><u>Upriver Spring (Includes Snake River Summer Chinook)</u></b>				
<b>Total Upriver Run</b>	298,900	Greater than 2008 return, 3rd highest since 1977	269,300	178,600
<b>Snake River Wild</b>	NA		21,100	23,600
<b>Upper Columbia Wild</b>	NA		2,900	2,000
<b><u>Summer Chinook</u></b>				
<b>Upper Columbia</b>	70,700	24% greater than the recent 10-year average.	52,000	55,500
<b><u>Sockeye</u></b>				
<b>Upriver</b>	183,800	Two times greater than the recent 10-year average	75,600	214,500
<b>Snake River</b>	600	Up from recent years, returns from captive brood	700	1,000
<b><u>Steelhead</u></b>				
<b>Wild Winter</b>	NA		15,300	NA
<b>Skamania Index</b>	NA		10,400	15,800
<b>Group A Index</b>	NA		266,300	245,800
<b>Group B Index</b>	NA		49,700	93,400
<b>Total Upriver Index</b>	NA		326,400	355,100

## STOCK STATUS

### *Upriver Spring Chinook*

- The upriver spring Chinook run is defined as all spring Chinook destined for areas above Bonneville Dam and Snake River summer Chinook. Chinook passing Bonneville Dam between January 1 and June 15 are considered upriver Spring Chinook. Snake River wild spring/summer Chinook and upper Columbia wild spring Chinook are components of this run and are federally listed under the Endangered Species Act (ESA). Spring Chinook returning to several other tributaries above Bonneville Dam are also components of this run and are not ESA listed. Based on the recent 5-year average, Bonneville Dam passage is 50% complete by May 8. Over the past 10 years, runs have averaged around 197,000 adult fish.

### *Willamette Spring Chinook*

- The Willamette River spring Chinook run passes through the lower Columbia River from February through May, with peak abundance during mid-March to mid-April. Wild spring Chinook destined for portions of the Willamette River and its tributaries are ESA-listed. Willamette spring Chinook tend to be earlier timed than upriver spring Chinook and exhibit a broader migration timing compared to the upriver stocks. Typically the overall run includes around 90% hatchery fish, but this proportion has been less than average in the past few years. Over the past 10 years, runs have averaged around 76,000 fish.

### *Lower Columbia Spring Chinook*

- Spring Chinook returning to the tributaries of the lower Columbia River are destined for the Cowlitz, Kalama, and Lewis and Sandy rivers. Lower river spring Chinook migrate earlier than upriver Columbia River stocks. Over the past 10 years, runs have averaged around 20,000 fish..

### *Winter Steelhead*

- The winter steelhead range includes all tributaries of the Columbia River upstream to Fifteen Mile Creek in Oregon and the Klickitat River in Washington. All wild winter steelhead are ESA-listed except those populations below the Cowlitz River in Washington and the Willamette River in Oregon. Willamette River winter steelhead destined for specific areas above Willamette Falls are also ESA-listed. Steelhead handled in the Columbia River below Bonneville Dam during November through April are considered winter steelhead. Between 2001 and 2007 the annual return has averaged 22,000 wild fish.

## 2009 MANAGEMENT GUIDELINES

### Salmon and Steelhead

#### *2008-2017 US v Oregon Management Agreement*

- The 2008-2017 US v Oregon Management Agreement (MA) provides species-specific harvest frameworks and harvest rates for non-Indian and treaty Indian fisheries management.
- The MA includes an abundance-based sliding scale harvest matrix for upriver spring Chinook. Based on this matrix and the preseason forecast, impacts during 2009 are limited to 13% for all fisheries, with 2.2% for non-treaty fisheries and 10.8% for treaty Indian fisheries.
- Impacts to wild winter steelhead are limited to 2% of the total run.

#### *Endangered Species Act*

- A Biological Opinion for fish stocks listed under the ESA based upon the management actions outlined in the 2008-2017 MA was approved by NMFS in 2008.

#### *Willamette Spring Chinook Management*

- The Willamette River Fisheries Management Evaluation Plan (FMEP) limits freshwater fishery impacts on wild Willamette River spring Chinook to <15%.
- The Willamette River FMEP includes a sliding scale for escapement goals based on abundance of hatchery fish and determines allocation of surplus hatchery spring Chinook to recreational and commercial fisheries downstream of Willamette Falls. The escapement goals are also intended to allow for full recreational fisheries in the upper Willamette River.
- Based on the FMEP and an expected return of 26,400 adult hatchery Willamette River spring Chinook (3,400 fish surplus above the FMEP escapement goal of 23,000 hatchery fish) is allocated 100% for recreational fisheries. Commercial fisheries are allocated <1% (260 fish) of the total return of hatchery fish for incidental catch in white sturgeon and Select Area commercial fisheries.

#### *Non-Indian Spring Chinook Allocation*

- Fishery management objectives and recreational/commercial impact allocations for upriver spring Chinook were considered by the Washington and Oregon Fish and Wildlife commissions (WFWC and OFWC) in December 2008 and January 2009 to provide the Joint Staff with preseason guidance for shaping and managing fisheries.
- As of this time, the two commissions have not reached consensus on allocation of upriver spring Chinook impacts or application of buffers. However, both commissions adopted the majority of the fishery objectives developed by the Columbia River Fish Working Group, including:
  - Adequate conservation buffer to maintain low risk of exceeding ESA impacts.
  - A high likelihood of a 45-day lower Columbia sport season during March and April.

- A high likelihood that the above Bonneville Dam sport fisheries will not be closed by emergency action.
- A SAFE commercial fishery opportunity at least similar to recent years.
- A meaningful early mainstem Columbia commercial opportunity.
- Lower Columbia fishing opportunity in May for both sport and commercial fisheries within remaining impacts.
- Both commissions adopted a matrix that includes varying percentages for recreational and commercial allocations and buffers based on the relative run strengths of the Willamette River and upriver spring Chinook returns.
  - The OFWC adopted a base-sharing plan of 60% recreational and 40% commercial.
  - The WFWC adopted a base-sharing plan of 65% recreational and 35% commercial.

### **Zone 6 Sturgeon**

- The Sturgeon Management Task Force (SMTF) met January 23 to discuss the status of Zone 6 sturgeon populations and harvest guidelines.
- Following the 2008 stock assessment, which indicated abundances of legal-sized fish in The Dalles Pool will increase in coming years, the SMTF opted to raise the guideline for The Dalles Pool for 2009-2011 to 1,300 fish. Non-treaty fisheries will be allocated 300 fish and treaty fisheries will be allocated 1,000. No changes were made to the other Zone 6 management areas.

### **Smelt**

- At the December 18, 2008 Compact/Joint State hearing, Level 1 fisheries were adopted for commercial and recreational fisheries in the Columbia and Cowlitz rivers during January-March 2009 consistent with the Washington and Oregon Eulachon Management Plan.
- The Joint Staff is not recommending any changes to the current season in place.

## **NON-INDIAN COMMERCIAL FISHERIES**

### ***2008-2009 Commercial Smelt Fisheries***

- The commercial smelt fishery in the mainstem Columbia River consists of 7-day-per-week fishing during December and two 7-hour fishing periods per week (7 AM-4 PM Mondays and Thursdays) during January through March 31.
- Commercial catch in the mainstem Columbia River was low during early January. The first smelt landings of the season occurred on January 5 with total landings through January 22 of 3,756 pounds. Landings improved in mid-January, but have since declined, likely due to decreasing water temperatures.

- The Cowlitz River is the only Washington tributary open to commercial smelt fishing. The season consists of two, 6-hour fishing periods per week (6 PM-Midnight Sundays and Wednesdays) and is scheduled to occur January 1-March 31. Other Washington tributaries remain closed to commercial smelt fishing. No Washington tributary landings have been reported to date, although smelt have been reported in several tributaries to date.

**2009 Winter Commercial Sturgeon Fishery**

- The winter commercial sturgeon season is scheduled to include six 24-hour (6 PM-6 PM) fishing periods and two 18- hour (6 PM-noon) fishing periods during January 6 through February 12 with a 1,700 white sturgeon catch guideline in effect.
- Through January 28, season landings total about 1,400 white sturgeon.

<b>White Sturgeon Landings During Winter Commercial Seasons, 2000-2009</b>										
Week	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Jan. 5-11	--	994	773	389	--	--	25	413	55	402
Jan. 12-18	534	555	502	365	407	80	61	185	68	311
Jan. 19-25	205	360	338	408	428	40	23	254	38	206
Jan. 26-Feb. 1	139	341	409	328	375	106	27	253	174	535 <sup>a</sup>
Feb. 2-8	75	384	134	--	234	144	43	125	255	
Feb. 9-15	247	--	469	--	252	23	51	84	72	
Feb 16-23	--	--	--	--	--	80	58	110	--	
Total	1,200	2,634	2,625	1,490	1,696	473	288	1,424	662	1,454

<sup>a</sup> Oregon landings only.

<b>Recommendation - 2009 Commercial Winter Sturgeon Seasons</b>
<p><b>Modify the ongoing non-Indian commercial white sturgeon fishery to include a weekly landing limit effective Tuesday, February 3, 2009 as follows:</b>            A maximum of 12 white sturgeon may be possessed or sold by each participating vessel during each calendar week (Sunday through Saturday) that the fishery is open.</p>

- The 2009 commercial fishing protocol specified a total winter season harvest of 1,700 white sturgeon.
- As of January 28, about 250 white sturgeon remain available for the winter season.
- Considering recent landings and deliveries, staff believes that a weekly landing limit of 12 fish per vessel will allow for continued harvest of white sturgeon for the remainder of the season already adopted, while maintaining the 1,700 fish winter season guideline.

**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 to maximize the catch of hatchery spring Chinook and minimize handle of ESA-listed upriver spring/summer Chinook and wild winter steelhead.

- The 2009 fishing plan will likely be similar to that used in 2008, with commercial salmon fishing restricted to the area upstream from the Willamette River mouth in order to avoid Willamette River Chinook.
- The following general plan is proposed by the Joint Staff for the 2009 winter/spring season:

<i>Option for future consideration - 2009 Winter/Spring Preseason Commercial Fishing Plan</i>	
✓	Test fishing below the mouth of the Willamette River to occur weekly during March to maintain a historical data base 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 also continue in the area above the Willamette River in order to collect data after full fleet fishing is complete.
✓	Full fleet fishery will occur upstream of the Willamette River. Commercial fishing will most likely occur between Monday night and Wednesday morning each week, but may be scheduled on other days in order to maintain flexibility in developing fisheries.
✓	Fishing may be conducted during both daylight and nighttime hours depending on fishery performance, but will not exceed 24 hours per opener.
✓	Manage mainstem commercial fisheries to remain within commission allocation guidelines.
✓	Additional fisheries may occur after run size updates are available.

- This fishing plan will:
  - Allow for continued collection of test fishing data for the lower Columbia River, where spring commercial fishing is most often conducted.
  - Provide in-season data necessary for making orderly fishery management decisions.
  - Provide for timely adoption of fishing seasons based on data collected from the full fleet fishery or test fishing.
  - Avoid potential user conflicts on the water and at limited public boat ramps.

<i>Options for future consideration - 2009 Commercial Spring Chinook Regulations</i>	
<b>Season:</b>	Individual fishing periods will not exceed 24 hours in length.
<b>Area:</b>	Hayden Island powerlines (west towers) upstream to the upper commercial fishing deadline at Beacon Rock.
<b>Sanctuaries:</b>	Sandy and Washougal River sanctuaries.
<b>Gear:</b>	8" minimum and 9¾" maximum mesh sizes during large mesh fishery. 4¼" maximum mesh size during tangle net fishery. Net length not to exceed 150 fathoms except tangle nets fitted with a steelhead excluder may be 175 fathoms.
<b>Allowable Sales:</b>	Adipose fin-clipped Chinook salmon, white sturgeon, and shad.
<b>Participants:</b>	Columbia River commercial fishers with appropriate licenses and legal gear that have completed the required state-sponsored workshop concerning live capture commercial fishing techniques.
<b>Miscellaneous Regulations:</b>	As a condition of fishing, owners or operators of commercial fishing vessels must cooperate with Department observers or observers collecting data for the Department, when notified by the observer of their intent to board the commercial vessel for observation and sampling during an open fishery.

Soak times, defined as time elapsed from when first mesh enters the water to when last mesh leaves the water, must not exceed 45 minutes.

Red corks 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 recovery boxes 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 one box with two 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.

Lighted buoys are required on each end of nets being fished between sunset and sunrise.

**24-hour Quick Reporting Rule in effect for Washington buyers.**

- ✓ 2009 commercial fisheries will be:
  - Managed to remain within ESA impact limits for listed upriver spring/summer Chinook and wild winter steelhead.
  - Managed within the Willamette FMEP allocation for Willamette hatchery spring Chinook and ESA impact limits to wild Willamette spring Chinook.
  - Consistent with policy objectives adopted by the Oregon and Washington Fish and Wildlife commissions.
  - Designed to avoid catch of Willamette spring Chinook and to minimize impacts to listed spring/summer Chinook and steelhead.
- ✓ Single fishing periods each week facilitate in-season management.
- ✓ Ability to use either large mesh or tangle nets allows for in-season flexibility to minimize handle and/or impacts to listed salmonids and maximize harvest of available hatchery fish.
- ✓ Tributary sanctuaries will increase protection for wild winter steelhead.
- ✓ Use of recovery boxes will improve the survival rate of all released salmonids.
- ✓ The use of nets fitted with a steelhead excluder is encouraged to further reduce steelhead handle.
- ✓ Recreational closures on Tuesdays in the area above the Hayden Island powerlines (west towers) are recommended to minimize commercial/recreational interactions due to the reduced fishing area and limited boat ramp access.

***Non-Indian Area 2S Commercial Shad Season***

- The shad season for future consideration is similar to seasons adopted since 1996.

<i>Options for future consideration - Commercial shad season</i>	
Annual Season:	3 PM - 10 PM daily during <u>Monday through Friday (except on the observed Memorial Day holiday) from May 10 through June 20 annually.</u>
Area:	True north/south line through Light #50 near the mouth of the Sandy River upstream to the commercial fishing boundary near Beacon Rock.
Gear:	Single-wall, unslackened, floater gill net; 5 <sup>3</sup> / <sub>8</sub> "- 6 <sup>1</sup> / <sub>4</sub> " mesh size restrictions; 10-lb breaking strength; and the net may not exceed 150 fathoms in length or 40 meshes in depth.
Allowable Sales:	Only shad may be kept and sold. All salmon, walleye, and sturgeon must be immediately returned to the water unharmed.

- ✓ Area restrictions have been in effect since 1976 and gear restrictions have been in effect since 1996.
- ✓ Staff intends to seek Commission approval to make this season permanent. The above season description is intended to apply to 2009 and future seasons.
- ✓ The Joint Staff will estimate salmonid handle and mortalities in this fishery based on past years data adjusted for run sizes.
- ✓ The Washougal Reef shad fishery is not being recommended due to lack of participation in recent years.

**NON-INDIAN RECREATIONAL FISHERIES**

***2009 Smelt Recreational Fishery***

- Recreational smelt fisheries on the mainstem Columbia River are open seven days a week, 24 hours a day through March 31. The daily limit is 25 pounds per person, concurrent with Oregon rules.
- The Cowlitz River is the only Washington tributary open for recreational smelt fishing. The season consists of one 16-hour fishing period per week (6 AM-10 PM Saturday) during January 1-March 31 with a daily bag limit of 10 pounds per person. Oregon tributaries are open year-round for recreational dipping under permanent rules.
- Limited effort and catch has been observed or reported in the Cowlitz River recreational fishery to date.

***2009 Mainstem Spring Chinook Recreational Fishery***

- Under permanent regulations the mainstem Columbia River from the mouth at Buoy 10 upstream to the I-5 Bridge is open to salmon angling during January 1 through March 31.
- Similar to 2008, recreational fishing is expected to be limited below the mouth of the Willamette River.

- In order to provide recreational harvest opportunity in the Columbia River fishery downstream from the Hayden Island powerlines, some of the available hatchery Willamette fish would need to be allocated to this fishery.
- The Joint Staff met with the Columbia River Recreational Advisory Group (CRRAG) in January to discuss potential options for developing the season structure of the Columbia River spring Chinook fishery.
  - Potential tools available to extend the fishing season (either preseason or in-season) include: limited days per week, every-other-day fishing, daily and season bag limits, and rack-your-rod rules.
  - Preferences were mixed, with some advisors preferring limited days per week or other tools to extend the season into late-April, and others preferring a 7 day per week fishery until impacts were exhausted.
- Additional tools may be effective for in-season action during the peak of the fishery to extend the season, including rack-your-rod rules, reduced areas/times, and bait restrictions.
- Staff has developed three options for the below Bonneville Dam fishery based on the management objectives adopted by the commissions and input from the CRRAG.
- In developing these options, staff assumed the following:
  - 55% recreational allocation for 2009 and 40% commercial allocation for 2009. These percentages do not exceed the upper limit for each fishery established by either commission.
  - The sport fishery may use up to 80% of their available impacts and the commercial fishery up to 60% prior to the run size update.
  - 75% of recreational impacts used below Bonneville Dam.
- The first priority in developing fishery options is to minimize the likelihood of exceeding ESA limits. Due to the dynamic nature of fisheries and fish runs, none of the options presented guarantee that in-season action will not be necessary.

***Options for future consideration - 2009 Mainstem Columbia River Spring Chinook Recreational Fishery***

**Downstream of Bonneville Dam**

**Areas and dates: Option 1:**

Below Hayden Island Powerlines:

7 days per week from March 1 – 15,  
3 days per week (Thurs-Sat) from March 18 – April 18.  
(March 1 – April 18; 30 fishing days)

Above Hayden Island Powerlines:

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)

**Option 2:**

Below Hayden Island Powerlines:

7 days per week from March 1 – April 3.  
(34 fishing days)

Above Hayden Island Powerlines:

7 days per week from March 1 – 23,  
6 days per week (Wed-Sat) from March 25 – April 18.  
(March 1 – April 18; 45 fishing days)

**Option 3:**

Below Hayden Island Powerlines:

7 days per week from March 1 – 22  
(22 fishing days)

Above Hayden Island Powerlines:

2 days per week (Fri - Sat) from March 20 – May 2.  
(14 fishing days)

Combined fishing days for both areas is 34 days.

**Catch limit for  
all areas below  
Bonneville Dam:**

Two adult salmonids per day only one of which may be a Chinook.  
Only adipose fin-clipped fish may be kept. All other permanent regulations apply.

**Bonneville Dam to McNary Dam**

Area: 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.

Dates: March 16 – May 10

Catch limit: Two adult salmon or steelhead per day.  
Only adipose fin-clipped fish may be kept. All other permanent regulations apply.

- ✓ The fishery options:
  - Consider the recreational allocation of the ESA-impact limit on upriver spring Chinook, and include a management buffer to account for run size and catch projection uncertainties.
- ✓ Staff will provide fishery updates beginning in early April.
- ✓ WDFW is proposing to modify the daily bag limit rules to be consistent with ODFW. This recommendation has gone through the public comment process and is expected to be adopted as permanent regulations by the WFWC at the February meeting.

***Options for future consideration - Washington Salmon and Steelhead Daily Bag Limits***

Washington daily bag limits for salmon and steelhead will be consistent with Oregon permanent regulations are as follows: two adult salmonids (salmon or steelhead) per day.

***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 and closed below I-5 Bridge during April 1-May 15 and between I-5 Bridge and McNary Dam during 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.

***Options for future consideration - Retention of Steelhead and Shad During Spring Chinook Seasons prior to May 16***

The Joint Staff will recommend that the mainstem Columbia River 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.

The mainstem Columbia River would remain closed for adipose fin-clipped steelhead and shad as per permanent regulations when the mainstem is closed for Chinook retention.

***2009 Tributary Spring Chinook Recreational Fisheries***

- Tributary fishery plans have not been developed at this time.

***2009 Mainstem White Sturgeon Recreational Fishery***

- Recreational white sturgeon fishing seasons for 2009 were adopted at the December 18, 2008 Compact.
- In the area above Wauna, white sturgeon retention is allowed Thursdays, Fridays, and Saturdays only from January 1-July 31 and October 1- December 31, 2009. ODFW is currently conducting sturgeon creel surveys in the lower Willamette River, as agreed during the December 2008 hearing. Catch estimates for this area will not be available until mid-February.

- In the area below Wauna, the fishery is open for retention 7 days per week from January 1-April 30 and May 10 - June 28, and July 2-5 (or until guideline met). Catches in this area are expected to be minimal.
- A formal checkpoint for these fisheries is scheduled for early June.

## **TREATY INDIAN FISHERIES**

### ***2009 Sturgeon Setline Season***

- Under permanent rules, the commercial sturgeon setline fishery is open January 1-31.
- No landings were reported for this season.

### ***2009 Winter Gillnet Season***

- A winter gillnet season is currently in place from 6 AM February 1 through 6 PM March 21 of each year under permanent Oregon regulations.
- The State of Washington does not have this fishery adopted under permanent rules, therefore, the tribal sturgeon fishery proposal will need to be acted on by Washington as state action.

<b><i>Tribal Recommendation – Winter Sturgeon Fishery</i></b>
<p>The tribes propose a winter season gillnet fishery in all of Zone 6. This fishery will begin at 6 AM on February 2, 2009 and end no later than 6 PM March 21, 2009. All standard river mouth and dam sanctuaries remain in effect. There will be no minimum mesh size.</p> <p>The allowed sales will include:</p> <ul style="list-style-type: none"> <li>• Sturgeon between 43 inches and 54 inches fork length in The Dalles and John Day pools. Sturgeon between 38 inches and 54 inches fork length in the Bonneville pool.</li> <li>• Sturgeon of legal size may be sold or kept for subsistence. Live release of all oversize and undersize sturgeon is required.</li> <li>• Steelhead, walleye, shad, carp, catfish, bass and yellow perch may also be sold.</li> <li>• Platform and hook and line caught fish may be sold during open commercial periods.</li> <li>• Chinook salmon may not be sold but may be retained for Ceremonial and Subsistence purposes.</li> <li>• Fish landed during an open commercial period may be sold at any time.</li> </ul> <p>Open periods, by reservoir include:</p> <ul style="list-style-type: none"> <li>• Bonneville Pool - from 6 AM on Monday through 6 PM on Friday of each week, or until the guideline is met.</li> <li>• John Day Pool and The Dalles Pool - 7 days per week. The fishery will be closed in any pool when that pool's sturgeon guideline is met.</li> </ul>

- If significant numbers of spring Chinook are harvested in the winter gillnet fishery, the tribes may at their discretion make changes to the fishery.

- The tribes agree to the Zone 6 sturgeon harvest guidelines set by the Sturgeon Management Task Force on January 23.
- The fishery in the Bonneville Pool is limited in order to pace the fishery and minimize the risk of exceeding the harvest guideline.
- The Yakama Nation subsistence fishery immediately below Bonneville Dam will also be allowed consistent with the 2007 MOA between Washington State and the Yakama Nation. This fishery is located on the Washington shoreline from 600 feet below the fish ladder at the Bonneville Dam North shore powerhouse downstream to Beacon Rock (bank fishing only) and is open to Yakama Tribal members only. Steelhead, walleye, carp, shad, catfish, bass, and yellow perch caught with hoopnets or hook-and-line gear from the Washington shore downstream of the Bonneville Dam to Beacon Rock may be sold or retained for subsistence. White sturgeon may not be retained for sale or for ceremonial or subsistence purposes. Chinook may not be sold but may be retained for ceremonial or subsistence use. The dates of allowable sales are from 6 AM February 2 through 6 PM March 21, 2009. Sales may not occur on USACE property.

### **SELECT AREA FISHERIES**

- Select Area (SAFE) commercial fisheries targeting spring Chinook have occurred in Youngs Bay since 1992, in Blind Slough since 1998, and in Deep River since 2003. In 2008, volunteer test fishing and a subsequent full-fleet commercial test fishery occurred in Tongue Point; this was the first spring season commercial fishing opportunity since 2003.
- SAFE fisheries target spring Chinook during the winter and spring seasons (mid-February through mid-June) and spring and Select Area Bright (SAB) fall Chinook during the summer season (mid-June through July).
- Harvest of Chinook in 2008 winter, spring, and summer Select Area fisheries totaled 4,486 fish (3,554 spring Chinook), which is much lower than the recent 10-year average. The summer season catch of 1,017 Chinook (primarily Select Area Bright fall Chinook) was a record and nearly three times the recent average.
- Based on visual stock identification (VSI) and coded-wire-tag (CWT) recoveries, catch in winter, spring, and summer SAFE fisheries has been comprised of 91.4% local Chinook, 6.3% lower river spring Chinook, 1.9% upriver spring Chinook, and 0.4% upper Columbia summer Chinook stocks during 2004-2008.
- Since 2002, ESA-impacts to upriver spring Chinook have ranged between 0.054% and 0.210% and have averaged 0.129% in SAFE fisheries. The 2008 impact rate to upriver spring Chinook was 88% (0.132%) of the 0.15% allocation for SAFE fisheries.
- Recreational harvest of spring Chinook in Select Areas has ranged between 25 and 1,100 fish per year since 1999. Estimates of recreational catch were not made for 2008 spring Chinook fisheries due to limited resources. Based on anecdotal information it is believed that the recreational harvest was less than 100 spring Chinook.

- Options for 2009 winter, spring, and summer SAFE fisheries were developed based on input received during a public meeting held January 15, 2009 in Astoria.
- Guidance from the Oregon and Washington Fish and Wildlife commissions is to manage the 2009 Select Area commercial fisheries at an upriver spring Chinook impact guideline of 0.15%.

***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.

<b><i>Options for future consideration - Blind Slough/Knappa Slough Select Area</i></b>	
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 June 12 (17 nights). Open hours are 7 PM to 7 AM (12 hours).
Area:	Blind Slough area only open during winter season and both Blind Slough and Knappa Slough areas open during spring season.  From May 4 through June 12, the lower boundary of the Knappa Slough fishing area is extended downstream to boundary lines defined by markers on the west end of Minaker Island to markers on Karlson Island and the Oregon shore (fall boundary).
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. <b>24-hour Quick Reporting Rule in effect for Washington buyers</b>

- ✓ Additional fishing periods between March 12 and April 6 during the winter season will provide access to locally returning spring Chinook with minimal risk of increasing impacts to upriver stocks.
- ✓ Fishing seasons are generally concurrent with the other Select Areas to minimize congestion in the fishing sites.
- ✓ Extending the downstream boundary of Knappa Slough to the west end of Minaker and Karlson Islands (fall boundary) beginning in May was first implemented in 2006 to

provide additional fishing area and has shown little risk of increasing impacts to upriver spring Chinook.

***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.

<b><i>Options for future consideration – Tongue Point/South Channel Select Area</i></b>	
Spring Season:	Monday and Thursday nights from April 20 through June 12 (16 nights). Open hours are 7 PM to 7 AM (12 hours).
Area:	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.  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.
Gear:	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.  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.
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:	<b>During April 20 through May 15, 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 during the first eight fishing periods (April 20-May 15).</b> After sampling, fishers will be issued a transportation permit by agency staff. Beginning May 18, fishers are required to call 503-428-0518 and leave a message including name, catch, and where and when the fish will be sold.
<b>24-hour Quick Reporting Rule in effect for Washington buyers</b>	

- ✓ 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.
- ✓ Staff intend to closely monitor the stock composition of Chinook landed in this fishery and will propose modifications to season structure (including closure) if needed.
- ✓ Although staff anticipates catches in the proposed fishery will be limited given recent releases, it will provide additional information on the potential to re-establish this site as a spring Chinook fishery.

- ✓ Given the new lower deadline, which functioned well in the 2008 full-fleet test fishery, and the delayed season opening, staff believes impacts to non-target stocks will be minimal. Impacts to upriver spring Chinook during the 2008 full-fleet test fishery totaled 18 fish (0.010%).
- ✓ Fishing seasons are generally concurrent with Youngs Bay, Blind Slough, and Deep River periods to minimize congestion in the fishing areas.

***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.

<b><i>Options for Future Consideration - Deep River Select Area</i></b>	
Winter Season:	Monday nights 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 June 12 (17 nights). 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.
<b>24-hour Quick Reporting Rule in effect for Washington buyers</b>	

- ✓ Winter season fisheries are in place through February 26, 2008
- ✓ An 8-inch maximum mesh size restriction during the spring season is recommended to target salmon and minimize sturgeon catch.
- ✓ Night fishing periods and weekend closures during the spring season will minimize interactions with recreational anglers.
- ✓ 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.
- Effective February 13, 2008, non-resident commercial fishing and boat licenses are not required of Washington fishers participating in Youngs Bay commercial fisheries. A valid fishing and boat license issued by the state of Washington will be considered adequate for participation in this fishery. The open area for non-resident commercial fishers includes all areas open for commercial fishing. Per permanent rule, all landings from Youngs Bay must be delivered to an Oregon licensed buyer.

<b><i>Options for future consideration – Youngs Bay Select Area</i></b>	
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> <p>Noon Monday May 4 - noon Friday May 8 (4 days)            Noon Monday May 11 - noon Friday May 15 (4 days)            Noon Monday May 18 - noon Friday May 22 (4 days)            Noon Monday May 25 - noon Friday May 29 (4 days)            Noon Monday June 1 - noon Friday June 5 (4 days)            Noon Tuesday June 9 - noon Friday June 12 (3 days)</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>

	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.
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.

- ✓ The 7-night regular winter season will target the first arrivals of the age-5 component of the run prior to the time when non-local Chinook stocks are typically present.
- ✓ Additional winter fishing periods after mid-March with reduced area boundaries and progressively restrictive open hours provides increased area and harvest opportunity, reduces opportunity for pinniped predation on adult returns, and minimizes impacts to upriver stocks that may be in the lower bay area during this timeframe.
- ✓ The 28-day spring fishery consisting of progressively increasing fishing time is designed to maximize harvest of local stocks while minimizing impacts to non-local stocks.
- ✓ As with all Select Area winter, spring, and summer fisheries, landings will be monitored weekly to determine stock composition. In-season modifications to fishing periods may occur to maximize harvest while minimizing impacts to non-target stocks.
- ✓ Spring fishing periods are generally concurrent with other Select Areas to minimize congestion in fishing areas.
- ✓ The 14-day summer fishery is recommended to provide harvest opportunity on remaining local spring Chinook and early returning Select Area bright (SAB) stock fall Chinook while allowing for SAB broodstock escapement.
- ✓ Fishing periods late in week during the summer season facilitate direct sales to public.

### ***Select Area Recreational Fisheries***

- Permanent angling regulations for Oregon waters within the Select Areas of Youngs Bay and Blind Slough/Knappa Slough are listed in the 2009 Oregon Recreational Fishing Regulations booklet. These waters are open year-round to Chinook salmon (fin-clipped only during January 1-July 31), adipose fin-clipped steelhead, and adipose fin-clipped coho except for some tributary closures.
- Permanent Washington recreational fishing rules list waters of Deep River from the mouth to the town bridge open to Chinook salmon (fin-clipped only during January 1-July 31), fin-clipped steelhead, and adipose fin-clipped coho the entire year.
- 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 mainstem when these fisheries are open concurrently.

***Options for future consideration - Select Area Recreational Fisheries***

Retention rules in Oregon and Washington Select Areas will be two adipose fin-clipped salmonids per day of which only one may be a Chinook on days when the mainstem Columbia River recreational fishery in the area below the Hayden Island Powerlines is open to retention of Chinook.

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 closed to Chinook retention.

***Issues Requiring Compact Consideration***

Modify ongoing non-Indian commercial sturgeon fisheries for a weekly landing limit. Page 5.

Set treaty Indian winter gillnet seasons. Page 12.

Modify measurement standard in tribal white sturgeon fisheries from total length to fork length measure. Page 13.

Allow sales of fish caught in treaty Indian platform and hook-and-line fisheries. Page 13.

**FUTURE MEETINGS**

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