

# **FWC & FWC-Fish Committee Co-Manager Hatchery Policy Briefing August 10 & 12, 2023**

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# Outline of Presentation

- Current status of the Policy
- Discussion – SEPA Comments
- Questions / comments from Commissioners
- Next steps
- Public Comment



# Current status of Policy

- ✓ **May 1, 2023:** Determination of Non-significance (DNS)
- ✓ **May 1 – May 26, 2023:** Public comment period
- ✓ **May 26 – August, 2023:** Response to comments document developed
- ✓ **June 16, 2023:** Fish Committee's initial discussion of the DNS and overview of public and Co-Manager comments
- **August 10-12, 2023:** FWC Briefing – Discussion of comments and policy
  - **August 18, 2023:** Meeting with Tribal Co-Managers
  - **Sept 28-30, 2023 (?):** FWC Policy Decision



# SEPA Comments

Joint letter from Tribal Co-Managers (Tulalip Tribes, Lummi Nation, Upper Skagit Indian Tribe, and Squaxin Island Tribe)

## Public Comments

- 13 comments – total 90 pages of information
  - 8 comments from individuals (2 comments unsigned)
    - Supports the DNS: 2
    - Opposed to the DNS: 4
    - Ambiguous or non-responsive: 2
  - 5 comments from organizations (all opposed to the DNS)
    - Lower Columbia Fish Recovery Board
    - Wild Salmon Center
    - Trout Unlimited/Wild Steelheaders United)
    - Coalition (The Conservation Angler, Washington Wildlife First, Kettle Range Association, Orca Conservancy, Wild Fish Conservancy, Wild Orca, Northwest Animal Rights Network)
    - The Conservation Angler / Wild Fish Conservancy



# Summary – Concerns about the Co-Manager Hatchery Policy \*

- Represents a shift from conservation and recovery to hatchery production and treaty rights
  - Conservation and recovery must be considered the highest priority
- Emphasizes hatchery benefits without acknowledgement of the risks to natural-origin populations
  - Minimizes scientific evidence concerning hatchery risks to natural-origin populations
- Does not align hatchery programs with state and federal adopted recovery and rebuilding plans
- No coordination with stakeholders – no transparent decision-making process
- DNS is unlawful
- Phased review is inappropriate
  - WDFW can't be trusted to complete the process
  - Evading environmental review
- Federal review process (NEPA/Section 7) is insufficient and not a replacement for SEPA
- Constrains the use of best available science
- Doesn't consider climate change
- Purpose statement is misleading or factually incorrect
- WDFW has not "acquired the essential data to analyze consequences."

\* Statements made by commenters . . . not an exhaustive list



# The draft policy does not prioritize recovery and does not align hatchery programs with adopted recovery and rebuilding plans

- Assumption: Compared with C-3624 if the draft policy is “silent” on an issue, it has “terminated” or de-emphasized the issue
  - WDFW disagrees with this assumption
  - Policy could mention or point to recovery and rebuilding plans
- Draft policy approaches recovery differently than C-3624
  - Definition of recovery includes ecosystem services and functions such as robusts harvest
  - Legacy and ongoing habitat loss and environmental change (climate change)
  - Draft policy emphasizes that hatcheries are a necessary and primary management tool for the recovery of natural-origin populations



# Conservation of natural-origin populations is not a priority in the draft policy. Slide #1

- The draft policy insufficiently protects natural-origin (“wild”) populations
  - Conservation should be the policy’s highest priority
  - Priorities have shifted from conservation and recovery to Tribal Treaty Rights
  - Focus is on hatchery benefits with little or no acknowledgement of risks
  - Overwhelming scientific evidence that hatchery productions harms wild fish populations
- C-3624 and the draft policy reflect different values and therefore they acknowledge different objectives in the management of hatcheries
  - C-3624 emphasizes conservation and recovery
  - Draft policy acknowledges the WDFW’s commitment to Tribal Treaty Rights, and the benefits of hatcheries toward recovery
  - The draft policy does not reject conservation as a value, it expresses additional values that are important to the Treaty Tribes
- C-3624 and the draft policy will result in the same process to development and implement HGMP and will undergo the same federal environmental review.
- Most prominent language in the draft policy is reaffirmation of WDFW and Tribal shared commitments. Policy explicitly highlights the importance of WDFW acknowledging Tribal Treaty Rights.



# Conservation of natural-origin populations is not a priority in the draft policy. Slide #2

- The draft policy insufficiently protects natural-origin (“wild”) populations
  - Conservation should be the policy’s highest priority
  - Priorities have shifted from conservation and recovery to Tribal Treaty Rights
  - Focus is on hatchery benefits with little or no acknowledgement of risks
  - Overwhelming scientific evidence that hatchery productions harms wild fish populations
- WDFW agrees that draft policy emphasizes hatchery benefits over the potential risks
  - Risk management is a property of hatchery program plans (HGMPs)





# Conservation of natural-origin populations is not a priority in the draft policy. Slide #3

- The draft policy insufficiently protects natural-origin (“wild”) populations
  - Conservation should be the policy’s highest priority
  - Priorities have shifted from conservation and recovery to Tribal Treaty Rights
  - Focus is on hatchery benefits with little or no acknowledgement of risks
  - Overwhelming scientific evidence that hatchery productions harms wild fish populations
- WDFW agrees that there are hundreds of published paper that address hatchery effects on wild pops
  - Most of these papers document **negative effects (hazards)**
  - **Hazards do not equal risk**; risk includes what is being harmed and the consequences of that harm
  - Uncertainty includes:
    - **what is being harmed** (individuals, cohorts, populations, ESU, species)
    - **consequences of that harm** (no effect, small/large reduction population size, maladaptation, extinction)
    - **inherent variability within a system** (year to year differences)
    - **limits to our knowledge** (can we apply results from one system to another system)
- **Cautious about making definitive conclusions about risks**



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# Questions and Discussion