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January 9, 2018

Dr. Jim Unsworth, Director
Washington Department of Fish and Wildlife
Dr. Brad Smith, Chair
Washington Fish and Wildlife Commission
600 Capitol Way N.
Olympia, WA 98501-1091

Re: Puget Sound Chinook Harvest Management Plan (PSCHMP)

Honorable Director Unsworth, Chair Smith and members of the Commission,

On behalf of the Northwest Sportfishing Industry Association (NSIA), I am writing to share our thoughts and concerns regarding the recently released Puget Sound Chinook Harvest Management Plan. NSIA consists of hundreds of businesses and thousands of family wage jobs in the Pacific NW and beyond who serve and support the same sportfishing client base as the Washington Fish and Wildlife Department. We appreciate the opportunity to comment, and hope to offer solutions that will help these seriously imperiled stocks while securing a future for NSIA businesses and our license buying customers.

Foremost, we'd like to commend the efforts of the agency staff. Balancing the needs of state fisheries with treaty tribal fisheries, Canadian and Alaskan fisheries, while equitably distributing the conservation requirements of the Chinook between these stakeholders has proven to be a nearly impossible task since the last PSCHMP expired. Previous attempts have failed, and without court mediation, this too might not have happened.

NSIA acknowledges that the court-ordered confidentiality imposed upon the state/tribal/federal process has created tremendous blow back when the plan was recently released. As the plan is modified and formally submitted over the next few weeks/months, we trust that things will calm down substantially.

The NSIA Board develops policy through three lenses: Conservation, Economics and Social Equity.

Conservation:

When NSIA started in 1993, our primary objective was to secure the mass marking of all hatchery fish. Even then, the industry recognized that mark select fisheries would be a necessary component of conservation, while allowing our industry to survive. It took decades of effort, but today mass marking and mark select fisheries are a bedrock conservation principle. Many fear that parts of the PSCHMP (especially management of the Stillaguamish conservation hatchery stock) will undermine mark select fishery benefits. We will address this in our recommendations.

Puget Sound Chinook populations have declined over 40% since they were listed in 1999. Climate change has introduced unpredictable and previously

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unseen variability that is hammering fish. The drought of 2015 was a triple whammy to the fish *and to our industry* with river temperatures that killed hundreds of thousands of adults and juveniles. The legacy effect of the 2015 drought, compounded by poor ocean conditions and a warm water blob that dominated much of the west coast is still playing out in low numbers of adult returns. Add to this large rain events, mud slides and poor freshwater habitat and it's easy to see why the Stillaguamish indicator stock is on life support. Many other Chinook populations in Puget Sound, Alaska (<http://www.adfg.alaska.gov/static/applications/dfnewsrelease/883691359.pdf>) and Canada suffer similar challenges.

At NSIA we support changes in harvest, hatcheries and habitat to protect and restore Puget Sound Chinook populations. It's imperative that we succeed.

Economics

Sportfishing is not only a birthright, it is an economic engine in Washington state. (see attached) Along with the fish, NSIA businesses have been hammered, nowhere more than in Puget Sound. The 2015 drought brought unprecedented fishing closures across the region. For many long-time industry people, it was the worst summer in memory—no fishing—no customers—no sales. And this perfect storm of droughts, floods, the blob, and fishery management collapses is extracting a horrible toll on many businesses in the sportfishing and boating industries. We have seen businesses go under, and expect to see more if the fisheries in Puget Sound cannot be resurrected. The declining status of some populations, and the resulting proposed changes in the PSCHMP are truly frightening to the men and women in our industry.

Sportfishing provides one of the primary funding sources for the conservation mission of WDFW—through the industry's federal excise tax returned to Washington State and the license fees collected (primarily through our retail outlets). For over two decades, the industry has also been a powerful and successful advocate for agency funding in Olympia. Conservation funding, advocacy and the health of fishery resources are inextricably tied to each other.

Social Equity

After conservation, and returning the best 'bang for the buck' out of fishery resources, NSIA's final guiding principle is that the benefits and burdens of conservation must be shared.

According to WDFW's fact sheet, "more than 60% of the fishery mortality of Stillaguamish Chinook salmon occurs in Northern fisheries." Reducing the impacts of northern fisheries on Puget Sound stocks, especially Stillaguamish, will be a difficult but important component of conservation. We also recognize that reductions in northern fisheries may not be agreed to without corresponding reductions in southern U.S. fisheries.

In our numerous communications with WDFW staff (and in their FAQ) it has been noted that "Because these pre-season proposals do not always reflect an average of *actual fisheries undertaken or their actual expected catch levels*, they may not be the best way to predict actual cuts in future years of low abundance." We concur and support WDFW's efforts to work with co-managers to ensure that preseason fishery models accurately reflect the expected catch in the fishery. This will be necessary during the toughest times of lower abundances.

We find additional encouragement regarding shared conservation burdens in the wording of the October 28, 2016 “Meet and Confer” request sent to WDFW by the DOJ, and seventeen of the co-manager tribes, under the provisions of the Western District Federal Court’s “Order on Continuing Jurisdiction.” Again, from WDFW FAQ: (**emphasis ours**)

The specific request was as follows:

“The purpose of this Meet and Confer is to consider a Request for Determination to be filed by the Requesting Parties to develop a court approved RSMP that will include but not be limited to: (1) establishing a court-ordered process for Puget Sound and Washington Coastal co-managers to develop **legally enforceable annual fisheries plans** in regions agreed to by the parties; (2) integrating that process with other salmon management processes through the “North of Falcon” process; and (3) updating and/or establishing long-term management plans for salmon fisheries in accordance with this case.”

Recommendations and Request for Clarification

From our various meetings with WDFW staff and NOAA, we understand that there are parts of the plan that are not finished, such as further work on the Dungeness and the Nooksack Management Unit Profiles (MUPs) to meet NOAA’s conservation standards under the ESA. With further details to be worked out, we sincerely hope there is time to improve and resolve some of the problems with the Stillaguamish (MUP). We trust that these recommendations will fit within the conservation needs of the fish, while acknowledging that the costs of management changes to the fishery verses the benefits to fishery conservation are tough to measure. Despite this, we support further fishery measures to protect these fish and our future fisheries-we all need to do our part.

- In our minds, the most necessary and immediate change is to use a ventral clip on the Stillaguamish chinook. This would leave a visible mark for Canadian fisheries management purposes, and the differential mark could be used for release in sport fisheries. As an example, the ventral clip is used for Young Bay releases of Rogue River Brights. In a year when broodstock take was at risk, the sport fleet was required to release all chinook with ventral clips the Buoy-10 sport fishery. The same could be used in Puget Sound and NSIA is committed to assisting in educational outreach.
- We endorse increased releases of unmarked broodstock from Stillaguamish facilities as an insurance policy for natural spawners, up to a level approved by NOAA. The department indicated that an additional 200,000 are anticipated. NSIA will work with our supporters in the Legislature to find funding for this increase.
- If NOAA, and the State and tribes determine that further conservation measures are needed for protection of the Stillaguamish stocks, we suggest phasing restrictions in as the hatchery changes are adopted, i.e. production increases and ventral clip.
- It is our understanding that an approved agreement, with ongoing court jurisdiction and mediation will assist in relieving some of the historical conflicts in the N. of Falcon process. Until the plan has been through the NEPA process, we suggest that NOAA issue an Opinion that will cover fisheries until NOAA gives ESA coverage to the Resource Management Plan. We believe this would provide more certainty and stability to the N. of Falcon process during the interim.

- Secure reductions in northern harvests. Again, with 60 percent of the Stillaguamish interceptions in northern fisheries, and further reductions in southern fisheries anticipated, it's imperative that northern interceptions are reduced significantly. The alarming drop in predicted abundance of Alaskan and Canadian stocks should (sadly) be a catalyst for collaborative work to further reduce interceptions of weak stocks.
- NOAA's ESA decision on the last PSCHMP was challenged in court on conservation grounds. NOAA's determination was upheld, but the fish have declined since then, making this plan more vulnerable to legal challenges. Conservation groups and utilities are already discussing a challenge to another court-mediated harvest plan in the Columbia River, including reductions and elimination of sport harvest. (<https://www.courthousenews.com/major-fight-shapes-up-over-salmon-harvest-in-the-columbia-river/>) It's fair to say we can expect the same from this community in Puget Sound.
- Habitat is the real limiting factor in the Stillaguamish, and for many other Puget Sound tributaries. WDFW staff discussed with us an approach to habitat restoration that focuses limited restoration dollars and staff on watersheds where populations are severely constraining access to more abundant stocks. This is an exciting concept, and a real chance to learn about the benefits of focused and prioritized actions. We have spoken to NOAA about this approach, and asked for NOAA to convene a process with state, tribal and federal decision makers with stakeholders to discuss how habitat investment prioritization might work. This sort of process was used to prioritize the order of completion for Puget Sound Hatchery Genetic Management Plans.
- Finally, we would like to learn more about how the continuing jurisdiction of the court mediated agreement is going to be integrated into the N. of Falcon process. Because of all the public misunderstanding and mistrust surrounding the court-ordered confidentiality during the development of the PSCHMP, maximizing transparency of implementation of the plan through N of Falcon will go a long way towards easing public concerns.

WDFW Staff, WDFW Commission, NOAA, Puget Sound Treaty Tribes, Alaska, Canada and the sportfishing community have one of the biggest challenges of our lifetimes in front of us. We appreciate the enormity and complexity of the problem and commend the effort. NSIA hopes that changes to the agreement can still be adopted to ensure that mark select fisheries retain their role in conservation, while allowing access to abundant stocks.

The final plan will directly affect the health of our industry. We appreciate your full consideration of our concerns and recommendations.

In Service,



Liz Hamilton, Executive Director
Northwest Sportfishing Industry Association

Cc: Barry Thom, Regional Administrator, NOAA Fisheries