



October 20, 2007

To: Lori Preuss
WDFW Rules Coordinator
Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091

From: Wild Steelhead Coalition
Rich Simms, President

Re: Written testimony regarding sport fishing rule proposals

The Wild Steelhead Coalition (WSC) is pleased to have the opportunity to offer written testimony regarding proposed sport fishing rule changes for 2008. Before delving in to our testimony, we wish to commend the Washington Department of Fish and Wildlife (WDFW) for offering a number of significant proposals. We are generally supportive of the majority of the proposed rules and we feel that with proper implementation and enforcement, they will greatly benefit wild steelhead conservation in our state. However, we are strongly opposed to a few key proposals for specific reasons we will make clear.

We identify the proposed rules we are in support of by region and proposal number. Where appropriate, we provide additional commentary on specific rules of interest of interest to our organization.

Statewide Rules

Proposed Rule #1

The WSC supports the new anti-snagging rule. However, we must emphasize that more enforcement is needed to make the existing and proposed rules governing snagging, poaching, and intentional or unintentional mishandling of fish truly effective.

Proposed Rule #3

The WSC supports proposed rule #3 without further comment.

Proposed Rule #4

The WSC opposes raising the annual allowance for hatchery steelhead beyond the current limit of 30 fish per season. This proposed rule presents the surface appeal of reducing the numbers of hatchery steelhead left in our rivers, which is consistent with the goals of our organization. However, a significant expansion in the allowable individual take of hatchery fish presents a number of issues and concerns that run against the best interests of steelhead conservation. We offer the following rationale in support of our position.

The Statewide Steelhead Management Plan (SSMP) has not been completed, therefore any proposals that could significantly influence hatchery operations are premature. The WSC has reviewed the SSMP in detail and has raised a number of key concerns. Most importantly, we strongly question the unsupported reliance on hatchery production to achieve the “dual objectives” of resource conservation and promotion of fishing opportunities. The state has not responded to public comments on the SSMP, nor has it addressed our comments on an earlier science white paper intended to provide the supporting rationale for this document. While the SSMP is in development, it is premature to submit a proposed rule change that incentivizes increased hatchery production and presents the potential for significant adverse effects on native steelhead populations.

Increasing harvest opportunities for hatchery fish will maintain the status quo for hatchery operations and may even promote additional hatchery production. While reducing the numbers of hatchery steelhead in our rivers is a stated objective of the WSC, we view raising the annual take limit to be an inappropriate means to this end. This proposal will not promote necessary reductions in hatchery production, and provides implicit justification for maintaining status quo hatchery operations in Puget Sound and on the Washington Coast that have been demonstrably detrimental to native steelhead populations. Even if more hatchery adults are taken in the fishery, the number of hatchery juveniles competing with native juveniles will remain constant or may even increase. Further, expanding fishing effort will likely lead to detrimental effects on stock diversity. This is an undesirable outcome from the standpoint of wild fish conservation, and is inconsistent with the requirements of the ESA.

Expanded harvest effort on hatchery fish is likely to cause detrimental effects on native steelhead diversity: Increasing the annual hatchery fish limit to 30 will undoubtedly increase the level of effort targeting the hatchery run, with undesirable consequences for wild steelhead diversity. Introducing large numbers of hatchery steelhead into

recreational fisheries during the 1960's increased the fishing effort by 63 percent and the catch by 53 percent. As is well known, intense harvest pressure on hatchery stocks has had a strongly detrimental effect on the early run component of many native winter steelhead populations in the region, relegating this once important component of wild steelhead diversity to near relict status. It is logical to presume that a significant expansion in the kill fishery opportunity will have similarly significant effects on fishing effort during the December to January peak of the hatchery run. It is similarly logical to conclude that this increased effort will place further pressure on remnant early run fish where they still exist. Rebuilding this early run component is a critical conservation objective where it can be achieved and proposed rule #4 runs counter to this interest. As such, it is patently unacceptable from a conservation perspective and likely to be inconsistent with recovery planning requirements under the ESA.

Expanded harvest effort on hatchery fish will exacerbate an acute tribal fishery allocation problem on coastal rivers: As is well known, the Western Washington Treaty Tribes have the legal right to 50 percent of the total commercial and recreational steelhead harvest allocation in the state. The tribes have benefited from a recent temporary legal injunction that allows the allocation of their harvest right between hatchery and wild stocks aggregated across multiple west end river systems. In effect, if non-tribal fishers take greater than 50 percent of hatchery fish across all of these rivers, this ruling allows the difference to be made up through harvest of native steelhead from specific river systems. By increasing non-tribal take of hatchery fish, the proposed rule will compel the tribes to demand an increased allocation of native steelhead escapement to their fishery.

The rationale for this proposal is clearly questionable given how acute the allocation issue is in many of our most important native steelhead sanctuaries. Presently the tribes are allowed to harvest 80 percent of the wild fish run on Queets and Quinault Rivers, and 67 percent of the run on the Hoh River. We have presented compelling evidence in past public commentary that harvest rates of this magnitude on wild steelhead are unsustainable. Any proposal that could exacerbate this already difficult allocation challenge is clearly unwise.

Proposed Rule #5

The WSC strongly rejects the idea of “tournaments on wild steelhead in places and at times where wild steelhead retention is allowed.” We extend our disapproval to derbies or other forms of competition that could affect wild steelhead. The Steelhead Advisory Group (SAG) first brought this issue to WDFW’s attention. The SAG voted 19 to 4 to eliminate all tournaments, derbies, or similar competitions that target or otherwise harm wild steelhead statewide, a position we support.

Since the majority of the state’s wild steelhead have been listed under the ESA, it would seem to be an unwise policy decision to expose these populations to additional harvest pressure. This holds true regardless of whether or not native steelhead are the target species of the tournament. Tournaments can impose intense pressure on wild steelhead stocks even when they are not directly the target species. These are environments where

large numbers of anglers pursue fish to be measured, and photographed. The increased frequency of capture and the increased stress of handling can be demonstrably harmful to fish. Tournaments promote a competitive mentality that does not foster immediate and careful release. This is likely to lead to higher incidental mortality as a consequence. Even in the absence of observable mortality, stress and injury from insensitive handling can decrease survival and spawning fitness following release. These effects are clearly detrimental to the objectives of wild steelhead conservation. All tournaments that target or indirectly cause increased incidental catch of wild steelhead should be banned!

Region 1

The WSC supports the following proposed rules submitted for Region 1 without further comment: #s 8, 11, 12, and 13.

Region 2

The WSC supports rules proposal #s 24 and 27 and for Region 2 without further comment.

Region 3

The WSC supports the following proposed rules submitted for Region 3 without further comment: #s 35, 37, 39, and 40.

Region 4

The WSC supports proposed rule #43 for Region 4. We are in complete agreement with the need to formally designate the Skagit/Sauk River system as a Wild Salmonid Management Area (WSMA). This system is one of the few remaining strongholds of wild steelhead diversity in the Puget Sound region and is deserving of careful management. We commend WDFW for taking this important step forward.

We are compelled however to point out that the agency is not being consistent in its decision making regarding WSMA designation. Specifically, we are concerned that WSC's proposal to designate the Quillayute River system on the Olympic Peninsula as a WSMA is not being considered in this year's rule change forum. This is a significant shortcoming in light of the fact that significant collaborative effort has been invested in the preparation of this proposal.

The Steelhead and Cutthroat Trout Advisory Group (SCPAG) worked diligently to prepare a Quillayute WSMA proposal designed to protect the diversity of all wild salmonids in the system, with emphasis on the needs of wild steelhead. The proposal was vetted with Region 6 staff in Aberdeen during its development. Recognizing the importance of this proposal, agency staff offered several constructive comments which were integrated into the final rule change proposal submitted by WSC.

For policy reasons that have not been made clear to WSC or Region 6 staff, this proposal was not included in this year's sportfishing rules package. The package states only that

other WSMA's would be considered as regional management plans are developed. The Quillayute River system is an important stronghold for wild steelhead diversity equally deserving of the same level of protection as the Skagit/Sauk system. Further, the WSMA proposal addresses immediate conservation needs that are recognized by both the WSC and regional staff. Given that the regional wild steelhead management plan for the Quillayute system will not be completed for at least 2 to 5 years, the rationale against instituting these immediate protective measures are less than clear. We formally request that this proposal be given fair consideration.

Region 5

WSC supports proposed rule #48 for Region 5 without further comment.

Region 6

The WSC supports the following proposed rules submitted for Region 6 without further comment: #s 50, 51, 52, 53, 54, 56, 57, 59, 60, 61, 62, and 63.

We offer additional commentary on the following proposals.

Proposal #55

WSC supports the proposal to expand the catch and release season on the Hoh River to April 30th. Due to complex tribal harvest allocation issues on west end rivers, and lack of access to tribal lands, recreational fishers are being denied access to native fish runs during an important part of the season. Expanding the catch and release season on the Hoh River will rectify this shortcoming in part. Additional opportunities to increase access on the Quinault and Queets River systems should also be investigated.

Proposal #58

WSC opposes this proposed rule change the status of wild steelhead in the Nisqually River system has clearly been perilous for several years. Stock abundance has hovered well below the escapement goal of 2,000 fish for many years. A short-term rebound in abundance is an insufficient basis to impose fishing pressure on this stock. We recommend that this important population remain protected until a clear trend towards increased productivity and abundance is established over a period of at least five years.

Respectfully Submitted,

Wild Steelhead Coalition
Rich Simms
President