



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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SYSTEM OPERATIONAL REQUEST (SOR): 2018 C-1

TO: Brig. Gen. Scott Spellmon COE-NWD Commander
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S. Bettin, P. Koski, T. Norris BPA-KEWR-4/PGPO-5 (operations planning)
Keith Hatch BIA, Northwest Regional Office

FROM: Jaime A. Pinkham, Executive Director

DATE: June 12, 2018

SUBJECT: **Operation of the Lower Columbia Pools for the summer 2018 Treaty Fishery**

The Columbia River Inter-Tribal Fish Commission (CRITFC), on behalf of its members, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Confederated Tribes and Bands of the Yakama Nation, requests the following (Zone 6) reservoir operations in (BON to MCN dams) during the summer 2018 treaty fishery. This effort supports the 2018 ceremonial, subsistence, and commercial treaty fishery times as set by the tribes and the Columbia River Compact.

SPECIFICATIONS: Implement the following pool operations, as follows:

6 am, Monday, June 18, 2018, through 6pm, Friday, June 22, 2018

6 am, Monday, June 25, 2018, through 6pm, Friday, June 29, 2018

Bonneville: Operate the pool within a 1.5-foot band during the treaty fishing period.

The Dalles: Operate the pool within a 1.5-foot band during the treaty fishing period.

John Day: Operate the pool within a 1.5-foot band during the treaty fishing period.

CRITFC will notify the Corps with specific times for the treaty fishery after a Compact hearing.

JUSTIFICATION:

The 2018 summer treaty fishing season is of critical importance to CRITFC's member tribes. The run sizes (Columbia River at Bonneville Dam) of an estimated 64,900 (near average) adult summer Upper Columbia chinook and 98,800 sockeye (below average) will create harvest opportunities for tribal fishers who will exercise their treaty rights by participating in this harvest using platform and gillnet fishing methods. This harvest will provide for the cultural, religious, and economic needs of the treaty tribes.

CRITFC will sponsor net flights each week to count the set-nets in each Zone 6 pool. The survey data will be shared with COE-RCC staff by early afternoon of the flight day.

Achieving good river conditions through managed river operations during the treaty fishery has been the basis of past litigation that have been supported by federal courts and are consistent with the trust and fiduciary responsibilities that the federal operators have with respect to CRITFC's member tribes.

In past meetings with Corps officials, tribal fishers have explained that a pool fluctuation of more than 1.5 feet disrupts fishery operations. Specific problems include: (1) increased local currents that sweep debris into fishing nets, (2) rapid water level drops lead to entanglement of nets or change local currents that affect fishing success, (3) boat access problems, and (4) Nets and gear are costly to replace and may become lost or torn from their anchors if pools are raised after nets are set.

Delays or disruptions to tribal fishing operations caused by the excessive pool fluctuations in Zone 6 can negatively impact tribal incomes, food resources and cultural practices. For many tribal fishers' much of their annual income and food is generated during the brief treaty fishing season. The fishers have expressed to Corps officials that the loss of fishing opportunity during the extremely limited treaty fishery period cannot be replaced.

If this SOR cannot be accommodated, CRITFC requests a verbal response with an explanation from the federal operators by COB, Friday, June 15, 2018. Thank you for considering this request. Please contact Kyle Dittmer or Stuart Ellis should you have any questions at (503) 238-0667.

Sincerely,



Zach Penney
Acting Executive Director

[Attachment]

cc: Tribal staffs and attorneys

2018 SUMMER SEASON TRIBAL FISHERY ANNOUNCEMENT

Monday June 11, 2018

The Four Columbia River Tribes set the following fishery plan and the Columbia River Compact concurred:

Zone 6 Commercial Gillnet Fishery

Area: All of Zone 6

Dates/Times: 6 AM Monday June 18 to 6 PM Friday, June 22 and
6 AM Monday June 25 to 6 PM Friday, June 29.

Gear: Set and Drift Gillnets with a 7-inch minimum mesh size restriction.

Allowable Sales: Salmon (any species), steelhead, shad, yellow perch, bass, walleye, catfish and carp may be sold or retained for subsistence. Fish landed during the open periods are allowed to be sold after the period concludes. Sturgeon may not be sold, but sturgeon from 38 to 54 inches fork length in the Bonneville Pool and sturgeon from 43 to 54 inches fork length in The Dalles and John Day Pools may be kept for subsistence purposes.

Closed Areas: River mouth and dam closed areas applicable to gillnets in effect. The Spring Creek Hatchery closed area is not in effect in the summer management period.

The tribes will consider additional fishing at a later time.

Zone 6 Platform and Hook and Line Fishery

Area: Zone 6

Allowable Sales: Fish caught after 6:00 AM Saturday June 16 may be sold commercially. Sales will continue until further notice.

Allowable Sales: Salmon (any species), steelhead, shad, yellow perch, bass, walleye, catfish and carp may be sold or retained for subsistence. Fish landed during the open periods are allowed to be sold after the period concludes. Sturgeon may not be sold, but sturgeon from 38 to 54 inches fork length in the Bonneville Pool and sturgeon from 43 to 54 inches fork length in The Dalles and John Day Pools and may be kept for subsistence purposes.

Other Rules: All other Regulations for the ongoing Zone 6 platform and hook and line fishery remain unchanged.

For information other fisheries such as tributaries or downstream of Bonneville please consult the tribal fishery departments directly.

Note: This announcement is an informational document and does not constitute a fishery regulation. Individual tribes determine actual fishing regulations for their members. Copies of regulations are available from tribal fishery departments.

If you have any fishing enforcement problems or need assistance or information, day or night, contact the Columbia River Inter-Tribal Fisheries Enforcement Office, 4270 Westcliff Drive, Hood River, Oregon. Phone: (541)-386-6363 or toll-free (800)-487-FISH (3474). Show pride in your Tribe's treaty rights by carrying your tribal ID. **Please consult your tribal Fisheries Department for additional details on tribal regulations. PLEASE WEAR YOUR LIFE JACKETS FOR SAFETY and avoid overloading your boats.**