



Massive hatchery program cuts being analyzed by federal government

A call for fishers' comments

By Sara Thompson

On Aug. 6, 2010 NOAA Fisheries released a draft environmental impact statement (DEIS) on hatchery operations throughout the Columbia River basin and Mitchell Act funding for hatchery programs. The DEIS is open for public review and NOAA is currently accepting comments.



NOAA Fisheries' environmental impact statement could potentially affect tribal fisheries. For this reason, CRITFC and the member tribes are making sure tribal concerns are addressed while the review is still in draft form.

CRITFC and tribal staffs are taking a close look at the DEIS and its potential impacts to tribal programs and the tribal fishery. While staff is busy compiling a list of the many flaws in the Mitchell Act DEIS and preparing comments, there are some overall impacts that the tribal members should be aware of. First, the DEIS does not address the role mitigation plays in the Columbia Basin. Hatcheries were put in place starting over a century ago to mitigate for the habitat and fish that were lost due to the construction of the dams and other impacts. Secondly, the alternatives in the DEIS consider significant cuts to hatchery programs. These cuts would have clear and adverse impacts to tribal fishery. Reducing the level of hatchery operations in the basin lets those responsible for the changes off the hook. Finally, the DEIS

alternatives proposed by NOAA Fisheries do not adequately take into account existing commitments agreed to by the federal government. The alternatives proposed in the DEIS are not consistent with the existing *U.S. v. Oregon* Fisheries Management Plan, the Columbia Basin Fish Accords, or the Pacific Salmon Treaty. These are significant problems that are combined with several questions about the scope and purpose of the document, limited range of the alternatives, lack of consultation with co-managing tribes, and several concerns over the technical analysis. Tribal and CRITFC staffs are taking a detailed look at what has been presented and addressing the concerns and impacts to the tribes and the tribal fishery.

CRITFC and tribal staffs are currently developing comments that will be given at the public hearings as well as written concerns that will be submitted to NOAA Fisheries before the December 3 deadline.

There are several opportunities for tribal members to become involved. See the back page for details on each of the scheduled public hearings and how to comment on the DEIS.

The National Environmental Policy Act (NEPA) requires all federal agencies to review the environmental impacts of their actions.

An oath to serve

critfc executive director's message



Paul Lumley

I have occasionally heard comments that the tribes don't need the Columbia River Inter-Tribal Fisheries Enforcement, or any enforcement, on the Columbia River. The reality is just the opposite. CRITFE's presence on the Columbia benefits the tribal fisheries, tribal fishers, and tribal sovereignty. After all, the very core of tribal sovereignty is the right of tribes to create — and enforce — their own laws.

Following the Yakama Nation's recent action to renew CRITFE officers' law enforcement commissions, for the first time in six years, any Yakama, Umatilla, Warm Springs, and Nez Perce fisher who receives a citation will be cited into his or her own tribe's justice system and not into a state court.



CRITFE officers taking the new intertribal oath. From left to right: Chief Davis Washines, Sergeant Ted Lame Bull, Officer Michael Mendoza, Sergeant Mitch Hicks, Captain Jerry Ekker, Officer Bob McCrum, Officer Phillip Watlamet, Officer Christine Tegner, Officer Casey Weeks, Officer Jerrod Daniels, Officer Russell Spino, CRITFC Executive Director Paul Lumley.

This show of unity among the four member tribes has sent a message to state law enforcement and we hope that a stronger CRITFE presence can help protect tribal fishers from state enforcement actions.

Last month, it was my privilege to administer a new oath of office to all CRITFE officers. The oath was developed

to commemorate receiving law enforcement commissions from all four member tribes. Here is the Columbia River Inter-Tribal Fish Commission Enforcement oath:

The Columbia River Inter-Tribal Fisheries Enforcement Oath

I do solemnly declare upon my honor and conscience that I will faithfully support the sovereignty of the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes of the Umatilla Indian Reservation, and the Nez Perce Tribe; I accept my commission acknowledging that it does not in any way diminish the sovereignty of these tribes.

I will, to the best of my ability, enforce the laws and regulations of these tribes, protect tribal fishers, assist in times of crisis, and protect archeological resources in and near Zone 6 of the Columbia River.

I will preserve the dignity and will respect the rights of all tribal members, particularly in their exercise of treaty-reserved fishing rights.

I will be mindful of the unique cultural beliefs and traditions of the Yakama Nation, the Confederated Tribes of the Warm Springs Reservation of Oregon, the Confederated Tribes of the Umatilla Indian Reservation, and the Nez Perce Tribe as I enforce the fishing regulations of these tribes.

I will constantly strive to honor this oath and the trust that these tribes have placed upon me.

—ADMINISTERED AUGUST 25, 2010

Fall Season Update

By Stuart Ellis

The 2010 fall commercial fishing season is underway. Fall season fisheries are managed using abundance based harvest rates that have been agreed to in the *U.S. v. Oregon* Management Agreement. At the 2010 run sizes, the tribes have agreed to manage for a 25% harvest rate on the upriver bright fall chinook (destined for upstream of McNary Dam) and a 20% harvest rate on B-run steelhead (larger steelhead heading to the Clearwater and parts of the Salmon River in Idaho). The Zone 6 platform and hook and line fishery has been open for both commercial and subsistence use since August 1. There have been four weekly commercial gillnet openings since August 24. While both the bright chinook and tule chinook runs

have been somewhat less than forecast, good numbers of fish are being caught and prices have been stable. The preliminary chinook catch for the first three weeks totals over 80,000 close to half of which are tules. There is also a strong return of steelhead. Steelhead harvest in the first three weeks is over 12,000. The coho run is lower than average; only 2,300 were caught in the first three weeks. Fishing effort is very strong with over 700 nets counted in each of the last two weeks. This is the highest fishing effort in at least 10 years. Commercial fisheries are expected to continue until the harvest rate limit on upriver bright fish is met as outlined in the *U.S. v. Oregon* Management Agreement. Even with all this fishing, the McNary Dam escapement goal has been met, and there have been several days of new record high fall chinook counts at Lower Granite Dam.

In-lieu and treaty fishing access site cleanup

The O & M cleanup crew has identified the titled property listed below for potential removal. This notice was also sent to all tribal and Gorge-area newspapers. If these items are not claimed and moved, they will eventually be disposed of by the BIA as abandoned property. If you are the owner of any of these properties or know who is, please call CRITFC O & M: (503) 866-8375 or (541) 296-6010.

DESCRIPTION	LICENSE	LOCATION
14' white/gold strip Field & Stream boat	none	Roosevelt north of the restroom near the pump house
white and red camper	none	
white and tan Toyota	WA 280 TLK	
white Oldsmobile	WA 254 UJG	
blue and gray Plymouth van	WA 309 VGZ	
gray Mitsubishi car	WA 475 XJX	Pasture Point upper parking lot southeast near the pump house
red Dodge van	none	
gray Ford F-250	WA A73033W	
green Dodge car	WA 461 UXE	
16' red and white Calkins boat and trailer	OR 973D	White Salmon south of restroom in upper parking lot
18' green and white Glastron boat and trailer	none	
red V-6 Dodge Ram	WA A18103P	
brown Ford Explorer	none	
17' white and tan V-hull boat	none	Underwood southwest from the restroom
20' white and blue tri-hull boat	none	

A call to fishers *(continued from front)*

CRITFC would like to encourage interested tribal members to participate in the public review of NOAA Fisheries' draft environmental impact statement on hatchery operations to ensure the tribal voice is heard on this issue. *(See article on the front page of this issue).* Individuals can submit written comments by December 3 or participate in one of the planned public hearings throughout the basin. Possible questions to pose might include: **Why didn't you consult the tribes? Why aren't you honoring treaty rights? or When will the government mitigate for the losses at the dams?** You can read the DEIS on the Northwest Region website at www.nwr.noaa.gov.

Send written comments to:

William W. Stelle, Jr.
Regional Administrator
NMFS Northwest Region
7600 Sand Point Way NE
Seattle, WA 98115
or via email to MitchellActEIS.nwr@noaa.gov.

(Include **Mitchell Act EIS** in the subject line.)

Mitchell Act DEIS Public Hearings

Vancouver, Washington

September 20, 5:30 to 7:30 pm

Clark County Regional Wastewater District
8000 NE 52nd Ct.

Kennewick, Washington

September 24, 5:30 to 7:30 pm

Kennewick Public Library
1620 S. Union St.

Astoria, Oregon

September 30, 5:30 to 7:30 pm

Columbia River Maritime Museum
1792 Marine Dr.

Lewiston, Idaho

October 13

location to be determined

Boise, Idaho

October 26 or 27

location to be determined



THE DIPNETTER

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