

BIPARTISAN CONGRESSIONAL PANEL

COLUMBIA RIVER MEETING

Congressional Meeting on the Survival of
Returning Adult Salmon and Steelhead

Water Resources Education Center
Community Room
4600 SE Columbia Way
Vancouver, Washington
Tuesday, October 11, 2005

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1 P-R-O-C-E-E-D-I-N-G-S

2 (9:30 a.m.)

3 MR. BAIRD: -- largest districts in the
4 country actually, and I want to thank the Water
5 Resource Center for hosting this meeting and
6 their wonderful facility. Also our friends from
7 CVTV who do such a great job of keeping the
8 public informed about issues of local and
9 regional concern. This is the first of what
10 will be a number of meetings. Our next meeting
11 will be actually tomorrow in Tacoma to discuss
12 Puget Sound issues. And then in a short time,
13 we'll have a meeting in Eastern Oregon that
14 Congressman Walden will chair and host so that
15 we can hear from folks in the Idaho, Eastern
16 Washington, Eastern Oregon Region.

17 The gist of what we are to talk about
18 today is to hear all the different perspectives
19 we can on any obstacle, that is preventing a
20 returning salmon from getting upstream to spawn.
21 Our region, as you know, has spent literally
22 billions of dollars on this effort and

1 everything from habitat restoration to
2 hatcheries to fish passage to hydro, and there
3 have been changes in how harvest is managed as
4 well.

5 Still however, we face ongoing
6 challenges with just last week, Judge Redden
7 suggesting that he would be looking for yet
8 another biological opinion. Our question is,
9 what are the common sense ways that we can work
10 together to reach our shared goal of restoring
11 wild salmon to the levels that allow for a sport
12 and recreational and commercial fishing, and
13 also that are compliant with the Endangered
14 Species Act and other laws.

15 I want to emphasize from the absolute
16 outset, we are not in anyway today talking about
17 diminishing our commitment to all the other
18 things that are happening right now to restore a
19 salmon. We are absolutely committed to
20 maintaining a strong hatchery program, to
21 maintaining our habitat restoratory efforts
22 and to running the hydrosystem as efficiently as

1 possible, as we possibly can. At the same time;
2 however, we face a number of challenges.
3 Actually, we don't, the salmon do, when they
4 come back upstream, and we want to understand
5 those challenges as best we possibly can.

6 We have all, Norm, Greg, myself and
7 really the entire region has made heroic
8 efforts, I think, and we are making some
9 progress, but there's no question that we have a
10 long way to go towards reaching our eventual
11 goal. In our efforts today, we haven't tried to
12 invite as many representatives from critical
13 organizations as we possibly can. In a three-
14 hour meeting with some time for testimony and
15 questions, there's no way we could invite
16 everybody.

17 So if a group wants to offer comments
18 we would certainly welcome that. We would
19 welcome written commentary from any individual
20 or group who is interested, we will take those
21 to heart and consider them carefully. And I
22 would reiterate, this is the first of what we

1 think will be several meetings, not only the
2 near term ones in Eastern Oregon and up in
3 Tacoma, but down the road we will gather what
4 we've heard today and move forward.

5 And second, I'll introduce Congressman
6 Dickson and Congressman Walden for comments.
7 Before that a little bit about the ground rules
8 today, our invited speakers will be speaking for
9 five minutes each, followed by about 10 minutes
10 per speaker for questions and that's a tight
11 timeframe but again if you have additional
12 comments, please submit it in written form and
13 reiterate again that there are some folks, if we
14 have not heard from everybody, please forgive
15 us.

16 We just simply didn't have enough time
17 given our limited opportunity today and tomorrow
18 and down the road. We will ask the audience to
19 be respectful of the speakers. It's not a
20 public demonstration of cheers or boos or
21 anything like that. We don't intend to cheer or
22 boo any of the speakers ourselves. Then we'll

1 ask a similar courtesy on the part of the
2 audience. And obviously, we should know before
3 hand, this is a controversial and complicated
4 issue.

5 I think, Greg and Norm, and I've all
6 had the experience of trying to explain this to
7 our East Coast colleagues. When you try to
8 explain the complexity of salmon recovery
9 efforts their eyes roll back in their heads and
10 they thank the Lord that they were born east of
11 the Rocky Mountains, and we thank the Lord that
12 we are born west of the rocky mountains, and
13 we're glad we're here but it's one of the
14 challenges and opportunities we face.

15 I would yield little bit of time now to
16 my dear friend and colleague, Congressman Norm
17 Dicks, who has been a leader and a champion of
18 salmon recovery efforts throughout this region,
19 in funding and a host of other legislative
20 initiatives, Norm, thank you for being here.

21 MR. DICKSON: Thank you, Brian and
22 Greg, thank you for coming up from Oregon, and

1 we're glad to be here today. I want to thank
2 all of you for coming and participating in this
3 meeting to discuss the survival of returning
4 adult salmon and steelhead. We are here today
5 to discuss what many people refer to as the four
6 H's: Habitat, Hatcheries, Hydropower and
7 Harvest.

8 I'm particularly interested in gaining
9 a better understanding of the role salmon
10 harvest plays in the region's efforts to recover
11 salmon. However, before we begin our discussion
12 about this important issue, I want to make
13 something very clear. Our desire to better
14 understand salmon harvest, must not be
15 interpreted as putting less importance, as Brian
16 said, on the role of the other agents, habitat,
17 hatcheries and hydro, and of course with Judge
18 Redden's decision, hydro is going to get a lot
19 attention, in the recovery of all wild salmon
20 and steelhead species.

21 All of the H's must be addressed if
22 we're going to recover salmon and steelhead.

1 Our efforts to improve salmon habitat must and
2 will continue, and I had something to do with
3 creating the Pacific Coast Salmon Recovery
4 Initiative with Vice-President Gore. We were
5 able to get it into the budget. It's been there
6 at around a -- between \$90 and \$100 million over
7 the last six years and has provided substantial
8 resources in the Northwest for this effort.

9 Our hatcheries must be managed in the
10 manner consistent with the needs of wild salmon.
11 We have begun that effort with the Puget Sound
12 and West Coast hatcheries -- coastal hatcheries.
13 But I'm sorry to say, we've done very little on
14 the Columbia River to address this matter, and
15 this is simply unacceptable. The Hatcheries
16 Scientific Review Group has made important
17 recommendations on how to improve the operations
18 of our hatcheries. As a member of the
19 Appropriations Committee, I plan to address this
20 matter next year.

21 I understand that the U.S. Fish and
22 Wildlife Service is taking initial steps on

1 hatchery reform at the Warm Springs Hatchery and
2 using the Hatcheries Scientific Review Group's
3 recommendations. And we spent about \$21 million
4 on these recommendations. I think the work that
5 was done is excellent, we just need to now
6 implement the hatcheries scientific reform
7 efforts. We must continue our effort to find
8 ways to minimize and eliminate the negative
9 impacts that our hydropower system has on wild
10 salmon and steelhead.

11 And as we will discuss today, we must
12 make sure that the harvest of wild salmon and
13 steelhead is consistent with region's recovery
14 efforts, especially for endangered, for
15 threatened and endangered wild salmon runs. I
16 believe that the citizens of our states are
17 committed and willing to make the necessary
18 sacrifices to recover salmon. We have spent
19 literally billions of dollars to improve
20 habitat, marked nearly all of our hatchery
21 salmon, and modified both the operations and
22 infrastructure of our dams.

1 The vast majority of these efforts have
2 been necessary and important for salmon
3 recovery. But we are increasingly hearing from
4 those who are paying the bills for these
5 efforts, and experiencing the impacts of
6 additional regulations on their lives that they
7 don't understand how we can ask them to support
8 such costs both monetary and personal, and at
9 the same time continue to harvest the wild
10 salmon we are trying to protect.

11 Thus today, we want to begin a regional
12 discussion about the role of harvest in salmon
13 and steelhead recovery. It is our belief that
14 the public must have confidence that harvest is
15 being managed in a matter consistent with salmon
16 recovery. We also believe that the public must
17 understand the effects of harvest on salmon
18 recovery, if we're going to continue to work in
19 the other H's.

20 But I make it clear, that I will remain
21 committed to addressing all of the four H's,
22 discussing harvest should not serve as an excuse

1 to any county or municipality in not passing a
2 critical area's ordinance that protects salmon
3 habitat. It should also not prevent any other
4 public or private entity from taking the steps
5 necessary to protect salmon habitat. We all
6 must do our part. I come to this meeting this
7 morning, eager to hear from the fish managers,
8 including my long time tribal friends, about how
9 harvest numbers are determined and contribute to
10 salmon recovery. Thank you, and I look forward
11 to these discussions.

12 MR. BAIRD: Thank you Norman, thank you
13 again for your leadership. Our region is
14 tremendously fortunate to have an individual of
15 the integrity and ability as we do with Greg
16 Walden, who serves on the critically important
17 Commerce Committee, and I'm proud to call Greg a
18 friend. We have made a purposeful effort that
19 this meeting be bipartisan and bi-state, the
20 salmon could care less whether their
21 representatives are democrats or republicans.
22 And we need to work together, because it's a

1 problem that effects all of us. Greg, thanks
2 again for your leadership and for being here.

3 MR. WALDEN: Thank you Brian, and thank
4 you Norm, for your leadership in pulling this
5 together. I'm delighted to join you on this
6 side of the river, and I'm glad you finally got
7 your mountain to stay on this side of the river
8 too, and stop -- you know, sending Nash
9 (phonetic) over our way.

10 You know, Judge Redden's recent
11 decision reminds us that we used to think run in
12 a river meant what you did in a kayak, not in a
13 courtroom. And yet, we're finding that what
14 happens in the courtroom is run in a region.
15 And that means it's time for those of us in
16 policy making position to step up and find out
17 is there a better way. And that's how I look at
18 what we're going to here today. What's
19 happening that's working and what's happening
20 that's not working?

21 Summer spill strategy worked, dam
22 removal makes sense. The way we determine ESUs

1 makes sense, and is it consistent around the
2 region. Is spending \$600 to \$700 million a year
3 in repair money producing results? What do we
4 need to do to do it better? I concur with my
5 colleagues and I'll say it too, just so there's
6 not misunderstanding. We understand all four of
7 the H's are critical and important.

8 We will continue to focus on habitat
9 and hatcheries and hydro, we're also going to
10 focus on the fourth H, which is Harvest, to see
11 what role if any, it plays in preventing adult
12 salmon from returning upstream to spawn. And
13 how does all that work in Relationship To The
14 Endangered Species Act, and how does the
15 Endangered Species Act allow for harvest of
16 endangered species and is that appropriate? I
17 think it's an issue we need to address.

18 And so I look forward to the testimony
19 we're going to get today. I would tell you as
20 well that I know there are members in the
21 audience obviously, who won't be able to come up
22 and share your comments, I believe we all have

1 websites, and we would encourage your
2 participation. My website is
3 www.walden.house.gov and you can go there and
4 link into our e-mail system.

5 So please, don't look at this as a way
6 to keep you from participating. Look at this as
7 an opportunity, the first opportunity of many,
8 to participate in this extraordinarily important
9 discussion that our region has had and must
10 continue to have. So I welcome all of you here
11 today, and I thank Brian Baird and Norm Dicks
12 for their leadership on this, and I look forward
13 to the testimony we're going to receive, thank
14 you.

15 MR. BAIRD: Thank you Greg, one thing
16 we have yet to mention extensively is of course
17 this has an international component as well and
18 we hope to hear some comments on that, some
19 recent studies have suggested a significant take
20 of endangered, both Columbia River and Puget
21 Sound Fish, and the trawl fishery off of
22 Vancouver Island, and so we have a complex

1 picture with a host of variables intervening,
2 and we look forward to the testimony today.

3 You will see as we list, as we invite
4 our speakers up that it is a distinguished panel
5 indeed. On normal circumstances, I would like
6 to offer a brief biography for each panelist,
7 but I'm going to forego that with their
8 indulgence, in order that we can hear more
9 testimony about the fish themselves and about
10 the recovery efforts.

11 So without further ado, let me invite
12 the head of NOAA Fisheries, Bob Lohn to join us,
13 Jaime Pinkhum representing the Columbia River
14 Inter-Tribal Fish Commission and Steven Wright
15 representing the Bonneville Power
16 Administration, they'll be our first three
17 panelists. We have Erin Hipa (phonetic), on my
18 staff over here, will do the cards, if this were
19 the Congress, who would have some little, looks
20 like a little game show like system and it
21 clicks off.

22 I'll invite everyone to try to self-

1 monitor at -- for five minutes. I'll give you a
2 signal at about one minute and ask you to sort
3 of abbreviate at that point. We will hear from
4 each individual in turn, and then open things up
5 for questioning from Congressmen Dicks, Walden
6 and myself. And again, I thank everyone for
7 being here and for all the efforts you've put
8 into this. And we'll begin if we may with Bob
9 Lohn, who is, I'm proud to say, a constituent,
10 lives right here in America's Vancouver, Bob,
11 thank you.

12 MR. LOHN: Thank you, Mr. Chairman and
13 distinguished members of the panel, thank you
14 for your interest. I think this is a -- just a
15 key topic and vital for the region. I'm so
16 grateful you've taken it up and I know it is
17 difficult and controversial.

18 MR. BAIRD: Let me just check the
19 sound, can people hear in the back all right?

20 SPEAKER: Put it a little closer.

21 MR. BAIRD: Just a little closer Bob.

22 MR. LOHN: Okay, for the record, my

1 name is Bob Lohn, I'm Regional Administrator for
2 NOAA Fisheries. Thanks again for your
3 willingness to look into this important issue
4 and for the opportunity to appear today. In
5 opening, I'd like to talk to you briefly within
6 these five minutes about two topics, first a
7 technical one, just stage-setting, how the
8 Columbia River's salmon harvest is treated under
9 the Endangered Species Act, and secondly, why
10 the Endangered Species Act, at least as we're
11 now approaching it, will not be by itself an
12 adequate solution for either the Fisheries or
13 the economy of the Columbia River basin.

14 First, the technical details and I'm
15 happy to provide great links, the supporting
16 documentation. When the species is protected
17 under the Endangered Species Act, it receives --
18 two are listed, receives two basic protections.
19 First of all, federal agencies have to consult
20 whenever they're proposing to take an action, to
21 make sure the action doesn't jeopardize the
22 listed species or adversely impact critical

1 habitat.

2 Secondly, no one that's neither federal
3 agencies nor private parties can take the
4 species, that means kill or harass the species.
5 Now, the Act provides an exception to the take
6 prohibition and harvest is part of this
7 exception, or the harvest fits in under that
8 exception. And I'll give you an example,
9 starting up with harvest, but other
10 circumstances.

11 When the federal action, which does not
12 jeopardize the listed species will result in
13 some mortality, some killing or take of the
14 listed species, we're allowed to authorize the
15 mortality as so called incidental take.
16 Typically, this applies to otherwise lawful
17 activities, which incidentally kill some of the
18 listed species. Almost every biological opinion
19 we issue contains what's called a list -- an
20 incidental take permit.

21 For example, building a bridge or
22 installing a dock or restoring some shoreline

1 habitat may, incidental to that, perfectly
2 legitimate and largely desirable work, harm or
3 even kill some listed salmon as that's being
4 carried out. The incidental take permit allows
5 people to do that activity, without being
6 subsequent liable -- subsequently liable if they
7 kill a listed fish.

8 The Federal Columbia River Power System
9 receives as part of it's biological opinion, an
10 incidental take permit, which allows more
11 mortality in that one permit than any other
12 incidental take permit we issued. I want to be
13 clear, while the Corps of Engineers and the
14 Bureau of Reclamation do their very best to
15 minimize fish losses, and each year I think,
16 each year I've been around, mortality has
17 continued to decrease, a fair amount of
18 mortality, especially, the juvenile fish occurs
19 as the fish pass through these dams.

20 Similarly, harvest of non-listed fish
21 often involves incidental take of listed fish,
22 and that's really the focus for our concern

1 about listed fish. Many of the fish runs in the
2 Columbia are what are called mixed stock runs, a
3 good example, is the fall chinook run, which
4 contains large numbers of the eminently
5 harvestable and desirable Hanford Reach fish
6 that are not listed, together with small numbers
7 of ESA listed Snake River fall chinook.

8 We do our best to work with the
9 fisheries managers to minimize the take of
10 listed fish in these harvests. But the harvest
11 still would not be legally possible without
12 biological opinions, which allow incidental take
13 permits. Incidental take permits on Columbia
14 River stocks for harvest purposes have been said
15 in a number of ways. But there are two common
16 principles.

17 First of all, where adequate habitat
18 remains to support the stock, we want to make
19 sure that at a minimum, enough fish get back to
20 maintain a continuing upward trend. We don't
21 pretend that they wouldn't -- that that trend
22 might not be realized more quickly if there were

1 no harvests, but we want to make sure that at
2 least the trend is an affirmative direction.
3 Where there is not enough habitat available to
4 support the stock, we want to at least get
5 enough fish back to use the habitat that's
6 available. So that's the second test, if the
7 first doesn't hold.

8 Important step and sort of reflecting
9 where we are now is that recovery plans for each
10 of these areas are being completed throughout
11 the Northwest, and I really want to give praise
12 for local governments, watershed groups, the
13 states who have worked so hard to make these
14 possible, we've worked with them but the credit
15 rests locally, are being completed as part of
16 this collaborative regional effort. Most will
17 be in draft form by this December. A few more
18 are expected, the sort of laggards we hope to
19 see by the first three months of next year.

20 As we complete these recovery plans, we
21 will be revisiting the incidental take limits to
22 make sure that they reflect current knowledge

1 about what's available in terms of habitat and
2 the opportunity is there. So that's how we look
3 at harvest as part of ESA. Now, the second
4 point, which I think is much more interesting
5 and important is why is ESA by itself not an
6 adequate solution to what we're facing as a
7 region.

8 Endangered Species Act is designed to
9 protect species so they don't go extinct in
10 their natural environment. The act itself would
11 be content, so long as we could count on saying
12 a minimal number of each group of fish returning
13 to their spawning grounds. But as a region we
14 wouldn't be content with just that, we want not
15 only the sea fish but moment of painful candor,
16 I need to acknowledge that we want to kill them
17 and eat them, hopefully large numbers of them.

18 The ESA really is not designed as a
19 tool to solve that problem. Columbia River
20 Basin is a developed area. Over a third of the
21 historic habitat is completely blocked, most
22 watersheds have been modified in ways that

1 reduce opportunities for fish. While there is
2 great room for improvement in natural habitat,
3 and I want to express extreme gratitude for
4 Congressional support of salmon recovery
5 funding, particularly the Pacific Coast Salmon
6 Recovery Fund, and acknowledge that we're making
7 great progress.

8 I think we also need to recognize that
9 even when restored, the natural runs will not
10 meet our appetite for salmon and salmon harvest.
11 We're currently running somewhere around, at
12 least in excess of a hundred different harvest -
13 - excuse me, hatchery programs in the Columbia
14 River Basin, about two-thirds of our fish
15 originate in hatcheries, the presence of those
16 fish is one of the factors that continues to
17 drive harvest, that is harvest targets on large
18 numbers of fish, and the hatcheries are
19 producing the largest numbers of fish.

20 Further, augmentation of hatchery fish
21 will need to continue if we want to maintain
22 harvest levels, anything like where they

1 currently are. So I see the next big step as
2 not so much ESA, certainly that has a role to
3 play, but as the successful integration of
4 hatcheries and the harvest they drive into the
5 other efforts we have going, on the habitat and
6 hydrosystem. I see that as the next major step.

7 We focused our efforts of the past
8 years on both catching up on past biological
9 opinions and really trying to get the recovery
10 plans out. Now, this year for us will be the
11 year of focusing on hatchery programs and
12 integrated harvests. As we look at it, we find
13 the programs there have originated without much
14 integration and often on an ad hoc basis. You
15 can imagine what you get when you have a 100 to
16 a 150 ad hoc programs going on.

17 Our challenge now is to look at them in
18 a way that draws them together to: (a) protect
19 and enhance natural runs, there are great
20 opportunities to do better; (b) to create
21 opportunities, better opportunities for harvest
22 where possible. Because we are in such disarray

1 on these programs, I think there is great
2 opportunity to do both better, and that will be
3 our focus. That's my -- and that's my
4 conclusion.

5 MR. BAIRD: Bob I'm going to -- I'm
6 getting the time limit here for you, thank you.
7 We'll follow up with questions. I want to let
8 you go over a little bit to cover that important
9 point. Next, I'd like to invite Steve Wright,
10 the Director of Bonnewell Power Administration,
11 thank you for being here.

12 MR. WRIGHT: Thank you very much,
13 Congressmen Baird, Congressmen Dicks,
14 Congressmen Walden, it's a pleasure to be here
15 today. Let me start by saying that we have a
16 unique perspective in the sense of understanding
17 how the hydrosystem operates and I don't want to
18 portray that I believe that I am or that my
19 agency is harvest experts. I'm going to share
20 with you a little bit about our perspective
21 about what's going on with salmon recovery and
22 the potential interaction between the

1 hydrosystem and harvest activities.

2 Let me also start by acknowledging that
3 dams are harvesters too, dams do kill fish, we
4 know that. We've worked very hard to try to
5 reduce the mortality through the hydrosystem.
6 We think we made some substantial progress in
7 that area. But this is not about saying harvest
8 is the problem and the hydrosystem is not. We
9 know that we have progress that needs to be made
10 on the hydrosystem. Having said that, we look
11 at the activities that are going on out there.

12 For example, with respect to Snake
13 River fall chinook, species that we are
14 investing a tremendous amount of money in, to
15 try to recover, and we see exploitation rates in
16 the offshore and in-river area that have been as
17 high as 70 to 80 percent in the '80s and '90s
18 and are now in the 40 to 50 percent range. So
19 that's a substantial amount of harvest to occur
20 on a fish that -- again, a fair amount of
21 investment is being made.

22 We also look at some of the reports

1 that have come out recently. Report from the
2 PATH Group in 1999 that indicated that very
3 difficult to see how recovery can occur with the
4 harvest levels occurring at the levels that were
5 then occurring at that point.

6 And report from the Recovery Science
7 Review Panel in 2001 that specifically said,
8 "We're somewhat mystified concerning the
9 scientific justification for current allowable
10 harvests, especially, the continuation of
11 substantial or higher allowable harvest rates on
12 listed, salmonic ESUs." We look at where tribal
13 or where harvest is occurring around the Basin,
14 and we see it's spread out, southeast Alaska,
15 west coast of Vancouver Island, the off-shore of
16 Washington, Oregon and California, and in river,
17 there's a chart in our package here that shows,
18 sort of how that distribution occurs. There is
19 no one place that this harvest is occurring,
20 it's occurring in lots of different places, and
21 therefore, it's not going to be as if you can go
22 to just one place to solve this problem.

1 I would want to point out that in this
2 chart there is tribal harvest, and my view on
3 tribal harvest is a little bit different than
4 with respect to commercial and recreational
5 harvests. I think the federal government does
6 have a trust responsibility to the tribes and as
7 a federal official that I carry -- need to carry
8 out that responsibility. So I would separate
9 out the tribal harvest, which is there for -- to
10 carry out our trust responsibility and say, we
11 need to treat that separately and uniquely and
12 need to consider that as an important part of
13 the federal government's trust responsibility to
14 the tribes.

15 In terms of the investments that are
16 being made, again, just looking at one stock,
17 Snake River fall chinook, and our program of
18 course, addresses 13 stocks across the Columbia
19 Basin, there's a lot of activity going on there.
20 The Biological Opinion summer spill program that
21 came out in the 2000 Biological Opinion, and
22 essentially, the same program is included in the

1 2004 Biological Opinion, as an average annual
2 cost to the hydrosystem of about \$95 million.

3 This past year, of course, spill was
4 added to that, a reserve of -- a District Court
5 order that added somewhere between \$57 to \$81
6 billion worth of spill cost. Our sense right
7 now is, and we're completing a final report on
8 that is that the final cost will end up at the
9 high end of that range, of the \$57 to \$81
10 million.

11 We also pay for transportation programs
12 that cost about \$8 million a year, and we have
13 direct efforts under the Northwest Power
14 Planning Council program that directly tied to
15 Snake River fall chinook of another \$8 million a
16 year. In addition, there have been huge
17 investments made in the hydrosystem, close to a
18 billion dollars of investment that benefit all
19 of the stocks in the system. Certainly, Snake
20 River fall chinook would be among those and we
21 are now paying the debt service on that billion-
22 dollar investment.

1 BPA has been involved in seek and
2 define some opportunities to be able to target
3 harvest, and find ways to be able to capture the
4 value of harvest through commercial fisheries,
5 without having an impact on wild stocks. We
6 have funded the Youngs Bay project, which is a
7 terminal fisheries at the north of the Columbia.
8 We've got close to about \$14 million invested in
9 that so far.

10 We've evaluated and done some work on
11 live capture harvest methods, basically, looking
12 at different ways of helping the gill-netters
13 produce different kinds of nets that will allow
14 wild fish to escape the nets. We have also
15 funded go-fishing net removals. The problem of
16 nets that end up in the river and have been
17 abandoned and need to be removed. Working with
18 the tribes on that, I will say, in what looks
19 like it could be a very successful program.

20 We pursued some other things that
21 haven't worked for us. We worked on a
22 lease/buyback program, back in the mid '90s

1 where we would basically buy out commercial
2 fisheries. Our fundamental problem there is, at
3 the end of the day we are in this on the basis
4 of a cost effectiveness test, and we could not
5 get guarantees that fish that pass through one
6 zone would not be caught in a zone further up
7 the river.

8 A second area that we were involved in,
9 as many of you are familiar with, last year we
10 proposed reductions in summer spill operations,
11 and as a trade-off for that, in a way of
12 accomplishing the same biological benefit
13 offered to a very innovative program, we thought
14 we could reduce the take on fall chinook and
15 return for buying selective fisheries gear for
16 those -- for fishermen that would allow them to
17 increase their take of spring Chinooks. Spring
18 chinook being -- having higher value, we thought
19 that would be of interest.

20 We were not able to make that work and
21 I -- it's not clear to me that could work in the
22 future. I think may be it was one of those, the

1 clock-ran-out-on-us kinds of things. So we have
2 been involved in some of these kinds of things
3 and a message I'd like leave with you is that we
4 are willing to be involved in these going
5 forward. We also look at, and again, this is an
6 area where I'd say, we don't have core expertise
7 but we look at the variety of reports that are
8 out there, about the value of harvest. We see
9 reports from the Northwest Power Planning
10 Council, Independent Economic Advisory Board
11 that says that the total value of all harvests
12 of Columbia Basin stocks is somewhere in the \$40
13 to \$140 million a year range, and we see the
14 Pacific Fishery Management Council saying marine
15 harvests is worth about \$90 million a year.

16 Yet we also see study from -- out of
17 Idaho, saying that a recovery of fish stocks
18 will be worth a half a billion dollars a year to
19 Idaho alone. And then a critique of that study
20 that says, no that's not right, it would be
21 worth a \$150 million. Well, there's a huge
22 variation there in terms of what the economic

1 value is. And I think the fact of the matter is
2 the lack of consensus about what that value is,
3 is creating some of the division within the
4 region.

5 So, in conclusion, I'd just say, as you
6 can tell, the Northwest Hydropower System, and
7 that is not just a set of utilities, that is the
8 repairs of this region, are making a huge
9 investment in salmon recovery. At the same
10 time, we seem to have significant harvests,
11 which is having an impact on our ability to
12 achieve that recovery.

13 Again, we recognize that the
14 hydrosystem is a contributor in terms of
15 harvests too, and part of our question here is
16 just what is the value that can be created from
17 changes that we make in the hydrosystem, versus
18 changes that could be made with respect to
19 harvests. And that we remain willing to
20 contribute to what I would call, thoughtful and
21 compassionate programs that produce guaranteed
22 reductions on ESA listed Columbia Basin fish.

1 Again the key here is, are there ways
2 that we can capture the commercial value of
3 these fish without having the impact on the wild
4 salmon that we appear to be having. Thank you
5 very much for the ability to be here today, I'm
6 happy to answer your questions.

7 MR. BAIRD: Thank you Steve, Jaime
8 Pinkham with the Columbia River Inter-Tribal
9 Fish Committee.

10 MR. PINKHAM: Thank you. Good morning
11 Representative Baird and Representative Dickson,
12 Representative Walden. Thank you for allowing
13 me the opportunity to provide some comments on
14 behalf of the Columbia River Inter-Tribal Fish
15 Commission, CRITFC for short. And CRITFC is
16 comprised of the four treaty tribes with the
17 fishing reserved rights on the Columbia river.
18 The Yakama Nation, the Confederate Tribes of the
19 Umatilla Indian Reservation, the Confederate
20 Tribes of Warm Springs and the Nez Perce Tribe.

21 I'd also like to acknowledge, in
22 attendance today is Chairman Ron Suppah with the

1 Warm Springs tribe. Well, I appreciate your
2 introductory remarks and acknowledge that any
3 discussion on the survival of returning adults
4 cannot be done in isolation of the entire
5 species life style, life history, and the
6 demands that stress the capacity of the river
7 system. Well, the tribes have had a seat at the
8 Columbia Basin's table for over 10,000 years,
9 and salmon was so fundamental to our society
10 that when our sovereign tribes in the United
11 States negotiated treaties in 1855, our tribal
12 forefathers explicitly reserved, and the
13 government agreed to assure our right to take
14 fish at all usual and accustomed places. And
15 the tribes kept our words by ceding vast
16 portions of our homeland to the United States
17 and we have always fully expected the government
18 to honor their word. And a friend of mine said
19 that conflict was thrust upon us when we went
20 from abundance to the politics of scarcity, and
21 CRITFC as an organization evolved out of
22 conflict over harvest issues. We had no choice

1 but to settle our difference in the courtroom.

2 And today under the ongoing
3 jurisdiction of the Federal Court in USB Oregon,
4 we go through a deliberative process with State
5 and Federal entities to develop allocations for
6 Indian and non-Indian harvests. The allocation
7 process is heavily regulated by natural than
8 human law, and harvest is based on predicted run
9 size and the needs to provide brood stock.

10 The agreement that we derive in this
11 process is entered as a court order and remains
12 consistent with coast wide conservation needs.
13 And from the mouth of the Columbia to McNary
14 Dam, NOAA Fisheries must sign off on a
15 Biological Opinion before harvest can occur.
16 And the CRITFC tribes have volunteered to keep
17 our harvests above Bonneville Dam, known as Zone
18 Six, for making way for non-Indian harvests
19 below the dam, and out to the mouth of the
20 Columbia.

21 And within CRITFC, the tribes must work
22 by consensus to allocate harvests, set seasons

1 and establish gear requirements for our
2 collective Zone Six fisheries. And in the
3 tributaries of our ancestral homelands, the
4 individual tribes will establish their own
5 harvest seasons and limits depending on the site
6 specific run sizes. And so we are perhaps the
7 most responsive managers within the river
8 system, we are quick to respond and adapt to
9 changing data, which also highlights the need
10 for the Fish Passage Center's expertise to
11 provide timely and reliable information.

12 Well, after the dams were built we
13 voluntarily curtailed tribal harvests with hopes
14 to restore the salmon runs and we carried that
15 conservation burden, but still the runs never
16 rebounded. So in 1986, the Northwest Power and
17 Conservation Council set a goal of doubling
18 salmon runs from 2.5 to 5 million and this
19 figure was based on losses compiled by council
20 staff. It's an admirable goal, but today we
21 continue to hover close to the 2.5 million mark.

22 And this past spring, we once again

1 teetered on the politics of scarcity when the
2 salmon runs were lower than we had forecasted.
3 And we squared off, the sea lions were only
4 behaving like sea lions at the buffet lined at
5 the Bonneville Dam's fish ladders, which is
6 another unforeseen consequence, the dams bring
7 in a new emerging issue we need to address.

8 Well, the tribes indeed have taken a
9 comprehensive approach to salmon recovery, and
10 we work with our public and private neighbors to
11 restore habitat. We have monitoring, and we
12 provide fisheries enforcement to ensure that we
13 meet -- are agreed upon harvest levels and we
14 conduct cutting edge research and also we are
15 using nature's wisdom in our production efforts
16 to supplement and rebuild wild stocks, and our
17 interests also include lamprey runs returning
18 them to harvestable and sustainable levels.

19 And we realize that the region remains
20 steadfast and our concern over electric rates
21 and how they are tied at the cost of
22 implementing BPA's Fish and Wildlife Program.

1 And it's worth noting that the tribes use a
2 variety of other federal resources, including
3 funds from the Pacific Salmon Commission, as
4 well as private and tribal monies. And we
5 cannot afford to let the non-BPA funding slip.

6 For example, in this fiscal year, our
7 Pacific Coastal Salmon Recovery Fund was cut by
8 20 percent, further reducing our resources. And
9 thus we'd appreciate your help in restoring our
10 PCSRF funds to at least the 2004 level. Well,
11 the Power Act did require equitable treatment
12 between the purposes for which the dams are
13 operated, and the tribes did ask for river
14 operations to provide more natural needs of the
15 fish and thus enhance the abundance of returning
16 adults.

17 Yet, the legitimate use of spill for
18 smolt survival is often characterized as lost
19 revenues, and in fact it has fractionated how we
20 look at this issue. You know, we've embraced
21 the rationale that spill is lost revenues, it
22 would also seem like we'd also value the cost of

1 saving the final tree left standing or
2 preserving the last sip of unspoiled water as
3 lost revenue.

4 And we must remain mindful that sharing
5 water with fish is the cost of doing good
6 business and doing what's right with all the
7 other requirements of operating the river
8 system. In this Sunday's Vancouver newspaper,
9 it was reported that BPA estimated the cost of
10 this year's court-ordered spill to be around \$57
11 to \$81 million.

12 But I'd like to offer another
13 perspective. By comparison, let's consider
14 irrigation and the Power and Conversations
15 Council's fourth annual report to the northwest
16 Governors on BPA's expenditures, they estimated
17 that withdrawals for irrigation could generate a
18 \$145 million if that water had been left in the
19 hydrosystem and used to produce -- electric
20 generation.

21 However, we don't debate irrigation as
22 decreasing revenues or raising electric rates.

1 Instead, we accept agriculture as a mainstay to
2 the region's livelihood, and so should we also
3 accept salmon in the same way. And it seems
4 like too often we do pit salmon against economy.
5 For the settlers to take a cue from the tribes
6 and recognize any economic wealth contained in
7 salmon, and salmon was like timber in
8 agriculture, which provided an early economic
9 foothold of this region, and we are accustomed
10 to understanding the timber and farming
11 community's contribution to the economy and the
12 imprint the rich family heritage and culture has
13 given to this region and it's rightly so. But
14 just as passionately and determined, we should
15 also defend the historic salmon economy and its
16 legacy that stretches even deeper in time.

17 And as Mr. Wright pointed out, there
18 was a report that came out of Idaho that talked
19 about the potential to get \$544 million, if
20 salmon runs were returned to their 1960s level.
21 And while both sides may quibble over the --
22 that actual figure, they won't dispute the fact

1 that salmon do provide a renewable contribution
2 to the region's diversity and economic health.

3 And along with Mr. Lohn and Mr. Wright,
4 the tribes also share in a goal of delisting.
5 We'll be participating with NOAA fisheries in
6 the recovery process. And the tribes, let me
7 remind you, have already shouldered a heavy
8 conservation burden to voluntary harvest
9 reductions and with past sacrifices the fish
10 runs still haven't rebounded. And it's been
11 proven and we are concerned about this that if
12 we ever ask to give up more in a harvest, we may
13 not ever see it again.

14 And more importantly the rebuilding and
15 ultimate delisting of adult salmon and steelhead
16 cannot just focus on adult survival concerns,
17 there is an elaborate system of linkages that
18 exist, and no one stands in isolation of the
19 other. And these linkages are biological, and
20 sure they have economic benefits. But more
21 importantly they exist in a moral and legal
22 framework, beginning with our treaties over a

1 century and a half old. Thank you for the
2 opportunity to comment and I'd like to -- I'd be
3 happy to respond to any questions.

4 MR. BAIRD: Thank you very much and
5 thank all the panelists. We'll ask if its -- if
6 you're comfortable with it, if you could make
7 available to us your written testimony and we'll
8 all have copies and the members of the public
9 are interested in that we'd be glad to try to
10 make that available to them as well. I'm going
11 to defer to my dean, Congressman Dicks for the
12 first series of questions. We have about, well,
13 I'd say about 20 minutes for questions and for
14 the audience information, we'll take a brief
15 break and reconvene the next panel after that.
16 So we'd go until about 10:35 with questions and
17 discussion and then take a brief break for the
18 next panel, Norm.

19 MR. DICKSON: Bob, here's the thing I'm
20 having trouble with. When you look at the
21 Endangered Species Act, we don't allow harvest -
22 - I think, of any other species, we don't take

1 any eagles, we don't take any wolves, we don't
2 take any of the other endangered species, we
3 don't take. And the problem I'm having is, in
4 reading the Endangered Species Act, I don't see
5 where it says you can do this what you're doing.
6 And therefore I'm -- you know, we've -- I've
7 been working on this effort towards mass
8 marking, so we could distinguish between
9 hatchery fish and wild fish, and we realized
10 that in some cases you will -- for restoring,
11 for conservation purposes, to restore a wild
12 run, you'll need brood stock, and you'll take a
13 hatchery fish and not mark them intentionally.

14 That's about for 1 percent of the fish,
15 but for the other 99 percent we're marking it.
16 And we've spent three or four years now working
17 with you and with and Fish and Wild Life
18 Service, who've done a great job, in terms of
19 getting this mass marking approach into place.
20 It seems to me that under these circumstances,
21 when we -- when we're not recovering these
22 species, we haven't recovered one of these

1 species you are talking about, and as -- as Mr.
2 Wright points out, Steve points out, we're still
3 taking in some cases 30 to 60 percent of these
4 wild fish. Now, that just doesn't make any
5 sense to me.

6 Why would we want to take these fish,
7 when they're ripe, coming up to the river, ready
8 to spawn, they only get to do it once, you know
9 what, it isn't like an other animal that lives
10 on. In these fishes, one time and that's it.
11 If we're not getting our recovery goals met, and
12 there is some dispute by the way, about your
13 recovery numbers, especially in Puget Sound,
14 because the numbers that you're using for
15 recovery are much lower than the numbers that
16 just -- the shared strategy just sent in.

17 In some cases, the difference between
18 rivers is hundreds of fish, you're saying are
19 needed for recovery, returning spawners, where
20 shared strategy says it takes thousands. I mean
21 there is a major, and part of the thinking for
22 this came right of your own shop. You know, so

1 there is a real major question here, but the
2 fundamental thing I'm having trouble with is
3 where in the Endangered Species Act does it say,
4 you can take an endangered salmon, I don't read
5 it anywhere or any other endangered species.

6 MR. LOHN: Congressman, first of all I
7 have to agree with you that, in theory, having
8 no harvest of endangered fish would certainly
9 speed recoveries. So I just wanted to agree
10 with you on that point. Specifically on Puget
11 Sound, the environmental impact statement that
12 contained the harvest numbers you referred to
13 from us was prepared in advance of shared
14 strategy, shared strategy was still under way.
15 There are two different goals. One, what is an
16 exploitation rate that would be consistent with
17 moving toward recovery, which is what our EIS
18 said versus two, what does a recovered rate look
19 like? What does full recovery look like?

20 I think you'll find this well aligned
21 with shared strategy and I think we would all
22 agree that's the target we ought to be building

1 toward. Now, whether our analysis that we did
2 would change now that we have shared strategy,
3 we'll have to go back and take a look at it. I
4 think we'll be asked to do that. So there may
5 be some further changes. Specifically on the
6 Endangered Species Act, there is no ESA
7 authorization that I'm aware of for what's
8 called a directed harvest that is deliberately
9 going out and focusing on the listed species.

10 Our analogy for harvest in the Columbia
11 River, as I indicated, is an incidental take,
12 that is incidental the something else that's
13 okay. Can you kill some listed species?

14 MR. DICKS: But on that point --

15 MR. LOHN: Yes.

16 MR. DICKS: How can we possibly say
17 that when you're taking 30 to 60 percent of the
18 fish, it's incidental. I mean that is not --
19 that doesn't make any sense. And we also know
20 one of the biggest problems with fishing is
21 overfishing.

22 MR. LOHN: Yes.

1 MR. DICKS: And when we have taken the
2 pressure off of these stocks in other parts of
3 the country, you know, they have recovered. And
4 I -- it just is hard to believe that you can say
5 it's incidental to take 30 to 60 percent of the
6 fish.

7 MR. LOHN: Congressman --

8 MR. DICKS: Now, I could see that if
9 you were moving towards a selective harvest.

10 MR. LOHN: Uh-huh.

11 MR. DICKS: And you said, you know, 30
12 to -- we're going to -- we are going to release
13 the wild fish like we've done with steelhead for
14 a period of time. We're going to release the
15 wild fish and that is incidental and there will
16 be some taken and, as you mentioned, they are
17 totally right on the facts of mixed fishery,
18 you're going to have some wild fish that you're
19 going to catch, but you're going to release
20 them. And that would truly be incidental.

21 MR. LOHN: Uh-huh.

22 MR. DICKS: But to say 30 to 60 percent

1 of these fall -- river -- Snake River chinook
2 are being taken, --

3 MR. LOHN: That's right.

4 MR. DICKS: --it's just to me, I don't
5 think that you can possibly square that with the
6 law. I -- and I think the law is wrong here. I
7 mean, there's been only one court case decided
8 on this. And in the court case, it's said there
9 was about 6 percent of the fish were wild, and
10 they said, "Well, we can't distinguish between
11 the two." And under the law, if you can't
12 distinguish between the two, you protect them
13 all.

14 You know it just -- you know, that --
15 that's what the law says. So I really am having
16 a hard time here understanding the basis for
17 what you guys are doing, and maybe we have to
18 clarify this in the Congress. But it -- but
19 when we're taking it that level, it's hard to
20 say it's excess, it's hard to say it's
21 incidental in my mind.

22 MR. LOHN: Congressman, I agree, that

1 level troubles me as well. It would be legally
2 incidental to the other fish that are being
3 taken as a percentage, for example, of the fall
4 chinook run. This is a fairly low percentage,
5 but does it have an impact on the species, I
6 agree completely.

7 MR. DICKS: Especially when Steve is
8 having to spend --

9 MR. LOHN: Yes.

10 MR. DICKS: -- millions and millions of
11 dollars to protect those fish. If we could low
12 -- reduce the harvest level on those fish, it
13 would make the job of BPA much easier to do and
14 I think would also show Judge Redden that we're
15 -- hey, we're trying to get serious about doing
16 something to save these wild fish.

17 MR. LOHN: And Congressman, I very much
18 agree. I think part of the challenge, as you've
19 indicated, for many fisheries, selective fishery
20 really offers some opportunity. They aren't
21 perfect. There is still some mortality as you
22 know, but it's --

1 MR. DICKS: Right.

2 MR. LOHN: It's much lower.

3 MR. DICKS: There you could make the
4 argument that --

5 MR. LOHN: Yes.

6 MR. DICKS: -- that is incidental.

7 MR. LOHN: Uh-huh.

8 MR. DICKS: And, therefore, legal --

9 MR. LOHN: Yes.

10 MR. DICKS: -- under the Endangered
11 Species Act. But when you're taking 30 to 60
12 percent of these fish, I think we need to go
13 back as we used to say and re-look at our game
14 plan.

15 MR. LOHN: I would very much like to do
16 that and I think that's -- that really needs to
17 be the focus for this coming year. By the way,
18 Congressman, I wanted to say that the HSRG
19 product, it would be important to us, it really
20 lays the scientific foundation for what we need
21 to do here. So we don't intend to reinvent it,
22 we just intend to use it.

1 MR. DICKS: I mean, this is not going
2 to be easy and I understand that, and there's a
3 lot of people -- there are various groups that
4 fish different ways and that -- it is going to
5 mean some adjustment in how we catch these fish.
6 But, hey, there are reef nets out there, there
7 are tangled nets out there, there are -- we can
8 go back to the -- some of the things we used to
9 do with fish traps that were maybe illegal, but
10 now maybe should be reconsidered. And so we can
11 get to a selective fishery and be able to
12 release the wild fish. Thank you.

13 SPEAKER: Thank you, Norman. Thank
14 you, Bob, for your response. Greg?

15 MR. WALDE: Thank you. I want to go to
16 Steve Wright first and I want to focus on an
17 issue you've raised in that summer spill. Lot
18 of discussion in the region about the cost and
19 the benefit of summer spill, a lot of debate.
20 Can you talk to me, do you have data on what
21 actually happened this summer relative to summer
22 spill, relative to the timing of the spill? Did

1 the timing of the spill correlate with the
2 timing of the run, and what they did -- is out
3 there in terms -- well, let's start with that
4 one first.

5 MR. WRIGHT: So first of all
6 Congressman, I don't think that we have data yet
7 on the effectiveness and I think it's going to
8 be difficult to actually get anything that's
9 conclusive, particularly until you see what
10 comes back after three or four years. Having
11 said that, we have tried to take a look at the
12 question of the timing of the spill relative to
13 the timing of the run. And the timing of the
14 run changes every year.

15 So it's one thing to know. It can be
16 quite variable as to when the run actually shows
17 up. Our folks did actually put together a
18 little graph and I've got them filed by dam, but
19 I'm just going to show one of them because it
20 gives you the basic idea. So this is the run
21 timing at -- the white line on this graph is the
22 run timing. The black line is when spill

1 occurred. And I think what you can see is that
2 the run timing occurred primarily in late June.
3 The substantial --

4 MR. WALDE: But the spill occurred
5 after that?

6 MR. WRIGHT: The spill occurred after
7 that. Now, this is just the court-ordered
8 spill. Now, we also -- but the court-ordered
9 spill came generally on top of what is the
10 biological opinions go as well. So this is the
11 -- the spill had occurred as a result of the
12 order -- Federal District Court Order. So you
13 can see that the spill was actually mostly in
14 July and August during this period and this is
15 the time when we incurred that \$57 to \$81
16 million cost. There were fish in the river
17 throughout this period, but the numbers relative
18 to the size of the total run were pretty modest.

19 MR. WALDE: All right. Bob, let me go
20 to you. You made a comment that -- about the
21 legally incidental to other fish being taken in
22 reference to Norm's question. Isn't the idea of

1 incidental take though related to the endangered
2 species, not other species in the system?

3 MR. LOHN: Congressman, you're right
4 that it needs to -- incidental take is -- well,
5 two aspects to it. The incidental I understand
6 as being relevant to other activities, the
7 amount of takes that's authorized has to be at a
8 level that won't jeopardize the listed fish.

9 MR. WALDE: Okay, but --

10 MR. LOHN: That won't drive them
11 further to extinction. So regardless of whether
12 it's small or big, it has to meet that test.

13 MR. WALDE: -- but you also said early
14 on, Bob, that you could maintain a positive
15 trend --

16 MR. LOHN: Yes, sir.

17 MR. WALDE: -- in these listed species.
18 But I think you went on to say, you know, you
19 could actually do more than that. Well, when I
20 look at what the Judge's pressure is on the
21 region, is it adequate to say we can maintain a
22 positive trend or should we be looking at what

1 can we do to restore the run fully and get out
2 from under that burden?

3 MR. LOHN: I think Judge Redden is
4 looking for two things. I think the Judge is
5 looking for aggressive recovery, not just a
6 positive trend. He's made that clear. And
7 secondly, I think the Judge is looking for
8 additional harvest opportunities. You referred
9 again to trust and treaty obligations.

10 MR. WALDE: Right, sure.

11 MR. LOHN: So for example, for Snake
12 River fall chinook, I would agree that those
13 numbers are painfully large and I'm not pleased
14 with them either. I would say that in part what
15 we're doing there is supplementing the run with
16 hatchery fish and that many of them being
17 caught, while if they were allowed to return
18 would be natural spawners, our fish that
19 originated in hatchery. So we're trying to
20 ameliorate the pressure, but it's still real and
21 it's still less than satisfactory.

22 MR. WALDE: And I guess that's a

1 question too. According to a CRS report, I have
2 the first hatchery on the Columbia River Basin
3 system as 1877.

4 MR. LOHN: Yes, sir.

5 MR. WALDE: How do you know the fish
6 that we are calling wild didn't originate in the
7 -- ancestrally in one of these hatcheries? How
8 do -- I mean, I get asked that question all the
9 time. We've had hatcheries up and down this
10 river system for 127 years.

11 MR. LOHN: Congressman --

12 MR. WALDE: How do we know it's wild
13 anymore?

14 MR. LOHN: If wild means that none of
15 the ancestors were ever in a hatchery, I doubt
16 that there are any truly wild fish left in the
17 Columbia River Basin. I think most of the fish
18 we see have had, at some point, some intermixing
19 with hatchery fish.

20 MR. WALDE: All right, and is there a
21 recovery -- do you than we can have a recovery
22 strategy in any other species that allows

1 harvest at the level that's being allowed here,
2 and do you think this is appropriate for what
3 we're trying to do in this basin?

4 MR. LOHN: Congressman, I'm not aware.
5 There may be instances, but I'm not aware of any
6 fish species, which is recovered while subjected
7 to substantial harvest practice. I would like
8 to believe we can make an exception, but I'm
9 just not aware of that.

10 MR. WALDE: Okay, finally then, because
11 I know my clock's running here, so I'll try and
12 cut to the chase. On ESUs, Evolutionary
13 Significant Units, correct? In the Columbia and
14 Snake system, we differentiate between the
15 chinook that take a left and go up to the
16 Hanford Reach, and those that take a right and
17 go up to Snake system, is that correct?

18 MR. LOHN: That's correct.

19 MR. WALDE: If you're up in the Puget
20 Sound, the chinook that come in there and have
21 multiples of rivers to go up and spawn in, are
22 they similarly differentiated by a river?

1 MR. LOHN: Congressman, they're
2 differentiated by river, but not listed by
3 river, that is the scientists recognize
4 different groups. If we -- to be blunt about
5 it, if we follow precisely the same
6 classification strategy we had in the Columbia
7 River and Puget Sound, I'd estimate there would
8 be three to four ESUs recognized.

9 MR. WALDE: Why is -- how is that that
10 you can treat this river system different than
11 you treat that river system when it comes to
12 ESUs and the salmon? When I get asked that
13 question, I get asked about the East Cost salmon
14 as well.

15 MR. LOHN: Yes.

16 MR. WALDE: That they're all treated as
17 one ESU. And yet, when you look at the
18 litigation that's involved here, especially with
19 the fall chinook run up the Snake, we're looking
20 at maybe having those dams taken out if the
21 Judge as his way and yet there seems to be this
22 differential allocation between ESUs here versus

1 in other systems.

2 MR. LOHN: Congressman, that
3 distinction was made before my time, that is the
4 classification that's in --

5 MR. WALDE: And mine, but we're here.

6 MR. LOHN: Yes, sir.

7 MR. WALDE: How do you defend it?

8 MR. LOHN: What I would say is that for
9 purposes of recovery and now that we have a
10 recovery plan submitted for that, the shared
11 strategy that Congressman Dicks referred to,
12 what basically has been recognized is that we're
13 dealing with three or four distinct units and
14 the recovery standards for those units are
15 really the same as they would be for one
16 Columbia River ESU.

17 MR. WALDE: But wouldn't your harvest
18 levels in Puget Sound allow for a fairly
19 substantial reduction in the fish in certain
20 rivers there as long as other rivers were
21 abundantly filled with salmon.

22 MR. LOHN: Congressman, that may have

1 been true once, but I think in our current
2 harvest plan, it really is fairly specific to
3 the areas, that is it's more like we would
4 manage the --

5 MR. WALDE: By river, by ESU?

6 MR. LOHN: Yes, sir. Rather than just
7 sort of an ESU-wide of get this many numbers
8 back to one of these rivers, it's get these
9 kinds of numbers back to each major area in
10 Puget Sound. So it's being managed in a similar
11 way.

12 MR. WALDE: Thank you, thank you,
13 gentlemen. Jamie, first of all, let me give you
14 an opportunity to respond to either any of the
15 questions or comments that have been asked so
16 far and then I'll follow up with a couple of
17 questions of my own.

18 MR. PINKHAM: The tribes also, you
19 know, we have concerns as well and even though
20 our treaty rights gives us full access to all
21 the fisheries, not just the hatchery fish, there
22 is things that we do do to reduce our impacts to

1 the wild stocks. We set our harvest rates and
2 at times when necessary we voluntarily set --
3 give restrictions. For example, during the fall
4 chinook harvest season, we'll go with an 8-inch
5 mesh to allow as much of the steelhead to pass
6 through and not take those.

7 And there's been concerns that our
8 style of harvest targets all species, but
9 actually if you look at the impact of the tribes
10 on the wild runs on a listed fish, it isn't as
11 great as one would think. You know, there are
12 other concerns and I think --

13 MR. WALDE: What is it -- what is it,
14 just out of curiosity, what is it?

15 MR. PINKHAM: The --

16 MR. WALDE: What is the impact?

17 MR. PINKHAM: Well, I'll use for
18 example here the fall harvest that we're looking
19 at in Zone 6 fisheries. This year we're looking
20 at 117,000 fall chinook, that's our harvest
21 estimate with estimate that our natural impact
22 will be 800 fish, and that's less than 1

1 percent. And granted there are other impacts
2 there, but there are other impacts with the
3 selective fisheries as well. And our -- and our
4 style of fishing is the fact that, you know, we
5 have a place-based treaty harvest in that, you
6 know, we don't have the wild rivers. So we use
7 the traditional forms, the gillnets, and the set
8 nets and platform fisheries.

9 And that's because we don't have the
10 wide array of people out there harvesting salmon
11 like the non-Indian community does and so we
12 need to be more efficient and effective.
13 However, we still do claim and I think we can
14 back up the figures that we have a very minimal
15 impact on the wild runs even though we use a
16 very efficient way of harvesting.

17 MR. BAIRD: Let me ask if I may. One
18 of the questions that comes to my mind when we
19 hear about the numbers of harvest and the
20 techniques of harvest, how do we know, Bob, that
21 we're taking 'x' number of wild fish versus
22 hatchery fish? How -- do you have observers on

1 the boats, do you have -- what knowledge do we
2 have of the Canadian fishery, what -- and Jamie,
3 I'll ask the same question to you, you know.
4 Where -- what are these estimates based on?

5 MR. LOHN: Congressman, it really
6 depends on the species and the fishery, and in
7 some instances our information is pretty fussy,
8 just to be candid about it. A typical example
9 would be where we know that the listed fish
10 follow another group of unlisted fish where
11 we're fortunate enough to have marked those
12 unlisted fish in some way, for example with
13 coded wire tags.

14 And where we have samplers who then are
15 taking those fish when they're harvested and
16 they can -- we can say we know that 5 percent of
17 this run are listed fish, 95 percent are not and
18 if we know how many of the overall run are taken
19 through coded wire tags, we can extrapolate from
20 that. That's the best example. There are other
21 instance -- other fisheries where we actually
22 monitor by genetics, that's pretty expensive and

1 we do a limited amount of that. But each one is
2 a little different targeting where that fish is.

3 MR. BAIRD: Part of the reason I'm
4 asking is because the error range in our
5 accuracy is going to have a great deal to do
6 with how much harvest we allow and what
7 technologies we allow for harvest. Jamie, do
8 you want to comment on that in terms of -- you
9 alluded to a number before what your estimate --
10 how do you track the numbers of listed fish
11 versus the hatchery fish?

12 MR. PINKHAM: We do have people out on
13 the ground, harvest monitors, law enforcement
14 people that monitor our harvest level and while
15 we can't be there at every location at all times
16 of the day, it does rely on the sampling methods
17 that Mr. Lohn was talking about. And so we have
18 to use some statistical analysis. So it does
19 base -- is based on location and timing of the
20 run.

21 MR. BAIRD: What's our -- what do we
22 know about the increasing numbers of pinnipeds

1 (seals, sea lions, et cetera) and their impact
2 up and down the river? I've heard some pretty
3 astonishing numbers in terms of the increase in
4 these marine mammals.

5 MR. LOHN: Congressman, I don't have a
6 solid number as to their specific impact. I
7 know Ed Bowles from the Oregon Department of
8 Fish and Wildlife will be up later and he may
9 well have some good Columbia River figures for
10 us. I can say two things about them.

11 First of all that they have reached
12 what we'd call optimum sustained population,
13 OSP, which means they've succeeded. What the
14 Marine Mammal Protection Act intended to do,
15 we've succeeded in doing. Can also say that
16 there are population now in need of management.
17 They are themselves -- they are predators who
18 normally and historically had other predators
19 above them in the food chain. Those are largely
20 lacking.

21 Final observation is our experience
22 with them in Puget Sound indicates that once you

1 get a group habituated to a certain kind of
2 feeding, there is no friendly way to discourage
3 them. Those that are new --

4 MR. BAIRD: Like teenagers at the
5 fridge, in my experience.

6 MR. LOHN: Yes, those are new comers we
7 can scare away with loud noises, those that have
8 learned where the fridge is. In Puget Sound, we
9 found only removal would work. In that case, we
10 found a captive display facility in San Diego, I
11 can't -- is it Sea World or Marine Land, I can't
12 remember which.

13 MR. BAIRD: I hear they won't take any
14 more.

15 MR. LOHN: They've -- after we send our
16 first batch, they withdrew their offer to take
17 more.

18 MR. BAIRD: I asked that --
19 parenthetically there is a process within the
20 Marine Mammal Protection Act that does allow
21 mechanisms beginning with non-lethal and then
22 possibly moving to lethal. And I've actually

1 communicated with the Governor asking her to
2 begin that exploration process because I just
3 believe in protecting those creatures, the
4 marine mammals, but at the same time there is a
5 balance and it seems to be increasingly getting
6 a little out of balance.

7 What about this issue of international
8 harvest? You know, we -- I am concerned from
9 the data I'm hearing, this is recent data, about
10 the trawl fishery off Vancouver Island that
11 we're -- I think it's 40 percent of the chinook
12 taken up there, are listed Columbia River, 20
13 some percent are Puget Sound listed fish, and
14 maybe we need to revisit that issue with our
15 friends in the north. Any insights on that?

16 MR. LOHN: Yes, sir. First of all,
17 we've received a 60 day notice filing on kind of
18 a clever legal theory that says to the extent
19 that listed fish are taken in Canadian waters,
20 U.S. customs ought to be stopping their
21 importation. As far as when the Pacific Coast
22 Salmon Treaty was written, it was contemplated

1 that the harvest there would sort of be an
2 average of all the stocks then present.

3 It doesn't specifically preclude or
4 specify a certain number of U.S. stocks. It was
5 simply estimated that would be the take. To be
6 blunt about it, our Canadian friends have become
7 much more sophisticated about their management
8 of that fishery and we can document that the
9 times in which that fishery is conducted have
10 changed radically. And the time seemed to
11 select against Canadian stocks, that is they are
12 allowed to return to their natal waters and
13 select for U.S. stocks.

14 MR. BAIRD: So the Canadian fleet goes
15 out about the time when the American fishes are
16 swimming by.

17 MR. LOHN: That's about what seems to
18 be happening. It has been pretty dramatic. As
19 the treaty comes up, it's due for revisiting in
20 a couple of years. We're very interested in it,
21 and in light of the 60-day notice, which could
22 preclude U.S. fisherman from bringing back

1 Canadian fish that they have taken, that is if
2 this is pursued to its full extent, we're
3 hopeful our Canadian colleagues will be willing
4 to revisit this a bit.

5 MR. DICKS: On that point, we move
6 towards mass marking. The Canadians have been
7 reluctant to do that. If, in fact, this law
8 suit were successful, wouldn't that create a
9 tremendous pressure on them to be able to show
10 that they are moving towards a selective
11 harvest, and that the fish that had been caught
12 by our recreational fisherman going up there
13 are, in fact, the hatchery fish?

14 MR. LOHN: It would certainly -- that's
15 a very interesting question, Congressman. I
16 hadn't thought of creating pressure on the
17 Canadian side for mass marking. It would
18 certainly favor, to the extent they are fishing,
19 selection of -- to the extent they are marked
20 U.S. fish, they are selecting those and
21 releasing unmarked fish.

22 MR. DICKS: Because you would have to

1 have some way to ship -- I mean, you have a
2 system in place. I mean, obviously these fish
3 are processed. You wouldn't be able to look in
4 the box and say, "Well there's -- you know, this
5 one didn't have, this one has an adipose fin,
6 and the other one doesn't." I mean, you'd have
7 to have them -- they would have to move towards
8 a system, I would think, comparable to what
9 we're doing. Hopefully, we will move towards a
10 selective harvest, and get the Canadians to do
11 the same thing.

12 MR. LOHN: Yes, that is --

13 MR. DICKS: That would then allow these
14 wild fish, that are American fish, to get back
15 to the Columbia River.

16 MR. LOHN: That's correct, true.

17 MR. BAIRD: Let me follow up on that
18 for a second. Now, one of the assumptions there
19 is that you can do the selective harvest in the
20 trawl fishery. And one of my questions would be
21 about, and maybe others will have expertise on
22 this, the style of the gear that's used.

1 What're we -- you know, there's a significant
2 mortality to a certain kind -- you know, you can
3 bring a fish in and then you can throw it back
4 in the water. But if it swims belly up and
5 bleeds from the gills, you have some real
6 question whether you have solved the problem or
7 not.

8 MR. LOHN: Uh-huh.

9 MR. BAIRD: And we have talked a lot
10 about reform of using tangle nets, and survival
11 boxes, et cetera, in the gillnet fishery. What
12 about the harvest both in our own sport fishery
13 and in the Canadian trawl fishery, what about
14 that technology as selective harvest?

15 MR. LOHN: Congressman, using the
16 current gear, that is barbed hooks that embed,
17 wherever they embed, we're seeing about a 30
18 percent mortality for commercial trawl
19 fisheries. These are folks stringing out a
20 longer line. We're seeing about half of that --
21 at least that is the estimate, somewhere in the
22 zone of 15 percent for recreational fishing in

1 the ocean. Now, I use those numbers in the
2 ocean because the fish are still in cold water,
3 and assuming they have been carefully handled
4 and released back, those are probably credible
5 numbers.

6 As you move up the river, the numbers
7 get a little worse not because people are more
8 careless, but because the water is warmer and
9 the fish, frankly, are burning their fat
10 reserves at that point. So even a lengthy time
11 playing on the line could ultimately run against
12 them. But --

13 MR. BAIRD: But they could go to
14 barbless hooks, couldn't they?

15 MR. LOHN: Yes, sir.

16 MR. BAIRD: In the trawl fishery, that
17 would make a big difference in the ability to
18 release these fish.

19 MR. LOHN: Yes, I don't know the -- you
20 know, I haven't been out on the trawl boats that
21 are, say, fishing off that fishery. So I don't
22 know the feasibility.

1 MR. DICKS: Recreationally, we use
2 barbless hooks in the state of Washington. I
3 mean, that to me would be a very small sacrifice
4 to try to protect these wild fish.

5 MR. LOHN: Yes.

6 MR. WALDE: I just want to follow up on
7 this issue of the customs and the potential
8 litigation. If I were to go somewhere outside
9 of the United States and try to bring back
10 something that we list here as endangered or
11 threatened. Wouldn't I run into a border
12 problem?

13 MR. LOHN: That's correct.

14 MR. WALDE: If I go to Africa and try
15 to bring back ivory, don't I have a little
16 difficulty --

17 MR. LOHN: You will be stopped at the
18 border, Congressman. Yes, sir.

19 MR. WALDE: So why are fish treated
20 differently?

21 MR. LOHN: I think, first of all, no
22 one had raised the question, and secondly our

1 customs people, when they got the letter saying
2 -- say what you're doing about this, basically
3 kicked it over to us because as the fish come
4 in, they're not necessarily able to identify
5 them. They don't know whether the fish is
6 Canadian or whatever. Whereas ivory, you can
7 look at it and say obviously that's illegal.

8 So I think the challenge is now to have
9 an identification program that requires, for
10 example, affirmative proof of that this fish is
11 either a marked fish and that's appropriate for
12 capture, or is a Canadian fish and that's
13 outside our ESA jurisdiction. So that will be
14 part of the challenge we'll have to deal with on
15 this.

16 MR. BAIRD: One last question if I may.
17 Steve, you mentioned that earlier Bonneville had
18 participated in discussions, at least, that
19 apparently didn't reach full fruition, but at
20 least buy-back operations or other mechanisms.
21 Is Bonneville interested in possibly
22 participating in some kind of a discussion of --

1 participating or funding or encouraging some of
2 these kind of selective harvest issues or other
3 mechanisms to address the harvest side of it.

4 MR. WRIGHT: Yes, we're, and remember
5 that we're operating under two laws here. It is
6 not just the Endangered Species Act. We're also
7 operating under the Northwest Power Act. And
8 Northwest Power Act is saying beyond threatening
9 an endangered species, we have to restore for
10 damage caused by the Federal hydroelectric
11 system. Particularly with respect of those
12 programs, we're looking for the most cost
13 effective approach to be able to get there.

14 In fact, we don't just do work at the
15 dams, we do have a tab work in other places as a
16 way of trying to find the most cost effective
17 way to get fish back. If there are programs
18 like replacement gillnet programs and those
19 kinds of things that can help us achieve that
20 goal more cost effectively than hydro systems
21 operations, we're very interested in doing that.
22 If I could, I would like to add one thought to

1 that too, which is I think Congressman Dicks
2 raised -- alluded to this point.

3 But I really would like to emphasize it
4 a little bit. It's hard for me to think about
5 this as just a harvest issue, and I think
6 there's an issue of harvest in hatcheries, and
7 where our hatchery programs are going. The
8 Northwest Power Planning Council, I think, has
9 done an excellent report in their APRE trying to
10 review how hatcheries are used throughout the
11 region. And now, we're faced with a fundamental
12 question about what are the mission of these
13 hatcheries, and how do they contribute given
14 that the way that we think about hatcheries has
15 changed. It used to be we're just trying to
16 create hatcheries for harvest purposes.

17 But now, we have to think about it in
18 terms integrating with our requirements for the
19 Endangered Species Act, our Northwest Power Act
20 requirements, et cetera. Bonneville thus fund a
21 substantial amount of the hatcheries in this
22 region, and we're beginning to think about, you

1 know, how we can participate in trying to move
2 this whole concept forward of defining the
3 mission and then actually implementing clear
4 mission activities for these programs. But
5 we'll take the cooperation of other hatchery
6 owners and operators on the region as well.

7 MR. DICKS: If I could just comment on
8 that just briefly. You know, we put -- the
9 Congress at my urging and Senator Gordon's
10 urging and Senator Murray put about \$21 million
11 into this program, the Hatchery Scientific
12 Review Group. I think they have done incredibly
13 good work, and for it not to be used more
14 broadly. And that means they have to go out and
15 look at these individual hatcheries, because
16 they do it on a case-by-case basis.

17 And then make recommendations about how
18 you could improve the operation of these
19 hatcheries so that they will improve the chances
20 for wild fish, and also operate the hatcheries
21 more effectively. I think this would just be a
22 terribly waste to the \$21 million we have

1 already spent. So anything you guys can do to
2 help us on that would be good. I mean, I had to
3 add money, but I can't keep doing that forever.
4 Some people think I can, but I -- but there are
5 limits, right?

6 SPEAKER: Yes, sir.

7 MR. BAIRD: I will refer to Greg for a
8 final question in one sec, but I would use
9 Norm's comments -- the discussion that we're
10 having, the context of it is I think that a
11 declining ability to gather general Federal tax
12 revenues for projects like this. We have a \$500
13 billion deficit, Katrina hit, war in Iraq, et
14 cetera. So the Federal budget is being squeezed
15 and that's part of the reason we're having these
16 discussions.

17 We have got to look at every efficiency
18 we can get out of things and I think we can find
19 them. The second issue is I think as we see the
20 rising cost of petroleum oil, coal, et cetera,
21 gas, the power costs are going to become even
22 more dear. The deferred cost for spilling

1 becomes even more costly. So we have got, on
2 the one hand, reduce Federal dollars for support
3 of some of these activities; on the other hand,
4 increasing cost as we defer power. Greg, one
5 final question or point.

6 MR. WALDE: Yes, one point and one
7 question. I believe we spent more Federal and
8 rate-payer dollars to recover these species than
9 have spent to try to recover all other species
10 in the country combined. It's an astonishing
11 amount we're spending. So we want to get our
12 money's worth. The question I have, Steve, is
13 in your handout, you talk about dams are
14 harvesters too, and then in the next page, it
15 talks about Snake River or Snake fall chinook
16 exploitation rates. And I guess my question is,
17 do you calculate how big a harvester in terms of
18 percent of the run that the dams are?

19 MR. WRIGHT: So we don't. I think
20 Bob's agency does that to some extent, and its
21 part of the biological opinion. So maybe I will
22 defer to him your question.

1 MR. WALDE: Bob, can you?

2 MR. LOHN: Congressman, we do calculate
3 that. I don't have the numbers, and I need to
4 convert them to make them meaningful. That is
5 the dams are largely involved in harming
6 juveniles. Not all of those juveniles, only a
7 small fraction ultimately will resolve --

8 MR. WALDE: What about the adult
9 return?

10 MR. LOHN: On the adult side --

11 MR. WALDE: What's the take there?

12 MR. LOHN: I would have to say that our
13 view is that it's de minimis, if any. The fish
14 ladders are --

15 MR. WALDE: Except for the seals.

16 MR. LOHN: Except for the sea lions,
17 absolutely, yes.

18 MR. WALDE: That's not de minimis.

19 MR. LOHN: But --

20 SPEAKER: Do you have numbers on seal
21 lion mortality or mortality of the fish?

22 MR. LOHN: I'm hoping Oregon will be

1 able to furnish those for you.

2 SPEAKER: Right, okay. But in terms of
3 our issue here of returning adult chinook or
4 other samples.

5 MR. LOHN: Mortality, I don't see any
6 significant issues there. There's what's called
7 inter-dam loss, that is adult fish will be
8 counted in one dam and not seen at the next.
9 But that can be due to a variety of reasons, not
10 the least of which is the fish may turn off to
11 some river because it's too warm.

12 SPEAKER: Some of the -- some of the
13 utilities have done HCPs and said they have
14 saved 92 percent and are actually coming in with
15 numbers above that like 95 percent on the smolts
16 coming down the river.

17 MR. LOHN: That's right.

18 SPEAKER: Which is pretty encouraging.

19 MR. LOHN: Congressman, they are doing
20 a terrific job and basically they are getting
21 high quality passage at the dams, and then
22 mitigating further providing hatchery and

1 habitat programs to make up the difference.

2 MR. BAIRD: Parenthetical, we're also
3 trying to deal with the tern and cormorant
4 problem. I want to thank the gentleman for
5 their outstanding testimony. We will take a 5-
6 minute break, reconvene at about 10:50 and --
7 for the next panel. Thank you very much.

8 (Recess)

9 MR. BAIRD: -- council, Don McIsaac and
10 from the Northwest Power and Conversation
11 Council, Melinda Eden. And I again want to
12 thank our three prior speakers for outstanding
13 testimony, and we'll wait about 30 seconds to
14 get our folks --. Okay, well, our first
15 comments will be from Dave Allen. Again, I'll
16 remind folks we are going to try to stick as
17 close as we can to five minutes and then we'll
18 have time for questioning. Dave, thank you for
19 being here and for your work with U.S. Fish and
20 Wildlife.

21 MR. ALLEN: Thank you, Mr. Chairman.
22 And for the record, I'm David Allen. I'm the

1 Regional Director for the U.S. Fish and
2 Wildlife.

3 MR. BAIRD: Dave, I think you will need
4 to be a little closer to the mike for folks in
5 the back.

6 MR. ALLEN: How's that?

7 MR. BAIRD: That's great.

8 MR. ALLEN: Is that better? Okay,
9 good.

10 MR. BAIRD: Can you -- can folks in the
11 back hear, Dave? The same. I'm getting more
12 volume. That just -- when they do this, it
13 doesn't mean he's doing a great job. You need
14 to speak louder.

15 MR. ALLEN: All right. How's that?

16 MR. BAIRD: That's better.

17 MR. ALLEN: Is that better? Okay,
18 again for the record, my name is David Allen.
19 I'm the Regional Director for the U.S. Fish and
20 Wildlife Service in the Pacific Northwest. Mr.
21 Chairman, Congressman Dicks, and Congressman
22 Walden, it is a pleasure to be here today to

1 discuss salmon conservation and recovery. To
2 begin, I would like to provide a brief overview
3 of Fish and Wildlife Service activities, and
4 programs along with some highlights that
5 benefits salmon and steelhead conservation in
6 the Pacific Northwest.

7 While the service is engaged to varying
8 degrees in all facets of salmon and steelhead
9 recovery, my comments today will address service
10 activities aimed at reversing the trends of
11 habitat laws and at approving the management
12 over at fish hatcheries for conservation and
13 recovery of these species. Finding ways to stop
14 or reverse the trend of habitat laws of
15 degradation in salmon rivers and their
16 tributaries continues to be a major focus for
17 salmon and steelhead recovery.

18 The task of finding solutions to these
19 trends is confounded by the complex life history
20 strategies of these species requiring very
21 specialized habitat needs at several life
22 stages. Addressing habitat needs of these

1 species in a manner sufficient to achieve
2 recovery will be a difficult task requiring the
3 combined efforts of the Federal, state, tribal,
4 and private interest to be successful. The Fish
5 and Wildlife Service is working very hard to do
6 its part to address the various habitat needs of
7 salmon and steelhead.

8 On our national wildlife refuges,
9 wherever habitat is present or restoration is
10 possible, we stress their importance in our
11 refuge management strategies for these species.
12 For example, at Nisqually refuge at the southern
13 end of Puget Sound, we're cooperating with a
14 Nisqually tribe and Nisqually Watershed Council
15 and many other partners to restore -- estuaring
16 wet lands in areas adjacent to the refuge. On
17 the refuge, we plan to restore 700 acres of
18 historic estuaries through dike removal.

19 When we complete this project in a few
20 years, it will be the largest estuaring
21 restoration project in the Pacific Northwest.
22 And our Julia Butler Hansen Refuge along the

1 lower Columbia, we're working in partnership
2 with the U.S. Army Corp of Engineers, the
3 Bonneville Power Administration, American Rivers
4 and the Columbia Land Trust on a \$3.7 million
5 project that will include restoration of 297
6 acres of tidal marsh at Crims Island.

7 In addition to managing our lands to
8 benefit salmon recovery, the service provides
9 incentives to partners for habitat conservation
10 through our several grant programs in the
11 Pacific Northwest. Most of our programs focus
12 on riparian and wetland habitat improvement and
13 restoration. The list of grant programs
14 includes partners for Fish and Wildlife program,
15 private stewardship grants, landowner incentive
16 programs, tribal wildlife grants, North American
17 wetland conservation grants, coastal wetland
18 grants, fish passage grants and Fisheries
19 Restoration and Irrigation Mitigation Act
20 grants.

21 Grants are awarded each year to states,
22 tribes and local government, and private

1 individuals or organizations. All grants are
2 leveraged with matching funds or in kind
3 services from one or more partners to support
4 dozens of projects benefiting salmon and
5 steelhead conservation and recovery. The
6 example I wish to highlight is the Fisheries
7 Restoration and Irrigation Mitigation Act
8 program or FRIMA. This program has now been
9 underway in the states of Montano, Idaho,
10 Washington, and New Oregon for 4 years.

11 Working with tribes and with irrigation
12 districts, and private landowners through our
13 state partners, the service provides grants for
14 planning, design and construction of screens for
15 water diversion structures, and to improve
16 passage for young and adult salmon. With the
17 continued support of Congress, this program
18 promises to achieve a win-win result for both
19 sustainable agriculture and sustainable
20 fisheries. I will leave you with a copy of our
21 most recent accomplishments reports for the
22 years 2002 through 2004.

1 The second major area of activity by
2 the service in support of salmon and steelhead
3 recovery is a management of fish hatchery
4 programs that we either operate or directly
5 support. This year, through 25 fish hatcheries
6 and associated production facilities in Idaho,
7 Oregon, and Washington, the service released 76
8 million young salmon and steelhead. More than 5
9 million of those fish were released specifically
10 for salmon and restoration recovery purposes.
11 The service continues to work closely with the
12 states of Idaho, Oregon, Washington, Indian
13 tribes, and fishing groups, and we're committed
14 to our leadership role and continuing to improve
15 hatchery management.

16 For example, we're coordinating with
17 habitat restoration efforts to ensure that
18 hatchery fish do not conflict with rebuilding
19 naturally responding populations of salmon and
20 steelhead. We're phasing locally adapted stocks
21 into our hatcheries, and changing management
22 practices to ensure hatchery operations are

1 compatible with wild stock protection. We're
2 developing locally adapted rearing and stocking
3 programs to recover threatened and endangered
4 species. We're implementing the science based
5 hatchery reform initiative as Congressman Dicks
6 referred to -- excuse me, that was identified in
7 Puget Sound area to improve the condition of
8 hatcheries in salmon and steelhead conservation
9 and recovery.

10 We're initiating a similar hatchery
11 review process this year for 21 Columbia Basin
12 hatcheries that the service operators supports
13 for the same goal of improving the quality of
14 fish production for salmon and steelhead
15 conservation and recovery. We're participating
16 in a region-wide effort to mass mark hatchery
17 produce salmon and steelhead to assist in the
18 recovery to aid selected harvest of these
19 species. Our hatchery management program
20 includes state-of-the-art fish health and fish
21 culture practices and policies designed to
22 prevent the introduction and spread of disease

1 and pathogens to promote the production of
2 healthy fish.

3 Our Abernathy Fish Technology Center in
4 Washington provides leadership in science-based
5 management of hatcheries to research programs
6 and fish nutrition, ecological physiology,
7 pathology and genetics. Our four fish health
8 centers provide long-term pathogen surveys and
9 monitoring of fish at national fish hatcheries
10 and selective wild populations as well as
11 diverse disease diagnostic investigational
12 studies.

13 MR. BAIRD: Dave, I'm getting the sign
14 from my staff member over here.

15 MR. ALLEN: All right, and I will bring
16 this to a quick closure. Our fish health
17 centers are national leaders in pathogen
18 containment, emergency disease control,
19 epidemiology assistance to fishery managers.
20 Finally, I should mention in closing, the
21 services responsibilities under the Endangered
22 Species Act to recover listed bull trout and

1 Kootenai sturgeon, are for the most part
2 consistent with and complimentary to the
3 conservation and recovery goals of salmon and
4 steelhead.

5 They occupy many of the same rivers and
6 tributaries, and many have overlapping habitat
7 requirements. There are, however, important
8 differences and we must also take into account
9 due to the unique life history strategies
10 exhibited by these species. Thank you very
11 much.

12 MR. BAIRD: Dave, thank you and thanks
13 for summarizing some of the outstanding work
14 Fish and Wildlife does on the habitat
15 restoration and other passage issues as well.
16 Ed Bowles from the Oregon Fish and Wildlife
17 Department. Thank you, Ed, for being here.

18 MR. BOWLES: Good morning, Congressman
19 Baird, Dicks and Walden. It is a pleasure to be
20 here. My name is Ed Bowles. I'm the Fish
21 Division Administrator for Oregon Department of
22 Fish and Wildlife. I would like to thank you

1 for the focus of today's meeting, which is on
2 adults and I think that's rightfully so --
3 that's adults so where it's at, so to speak, and
4 really adults are what provide fisheries for
5 cultural and societal benefits.

6 Adults provide the flesh and the
7 nutrients for the eco system health as well as
8 watersheds, and most importantly these adults
9 provide the offspring for perpetuation of the
10 species. Now, the key question that we're all
11 grappling with is how best do we enhance the
12 returning of these adults. And that is not just
13 limited to looking at the impacts on adults, but
14 also on the impacts throughout the full
15 lifecycle as all three of you have mentioned
16 earlier this morning.

17 Now, the best way to improve adult
18 returns is to focus our efforts on the human
19 influence causes of mortality. And in doing
20 that, it's important to keep in perspective the
21 relative roles of these human influence causes
22 of mortality. And so, I have provided you a

1 handout of some estimates of this mortality just
2 for context, if you will, and --

3 SPEAKER: We have those

4 MR. BOWLES: I think we did provide
5 that. Here it is. Within that, I just used two
6 species that are listed for example, spring
7 chinook -- springs chinook and the fall chinook,
8 which have been part of the discussion this
9 morning. And on the -- the two graphs on the
10 left show the relative mortality associated with
11 six human influence mortality factors, whether
12 it be birds, pinnipeds, fish in the river,
13 fisheries and both juvenile and hydro related
14 mortality.

15 The two graphs on the right show a
16 break down of the harvest component of this. So
17 you can see the relative contributions of those
18 over the recent time period. Now, from a
19 recovery standpoint, loss of juvenile salmon
20 associated with the hydroelectric system is by
21 far the major contributor to mortality. Without
22 addressing these losses, further reductions in

1 the other sectors are unlikely to provide
2 recovery still important, but unlikely to
3 provide recovery.

4 MR. BAIRD: Let me interject and ask a
5 question. I don't understand the graph. You
6 have got on the Y axis numbers from 0 to 100
7 percent, hydro juvenile saying 89 percent.

8 MR. BOWLES: That's correct.

9 MR. BAIRD: And the ocean fisheries 50
10 percent. That's more than a 100, I don't get --

11 MR. BOWLES: Congressman Baird, that
12 represents the proportion of mortality for that
13 particular sector so this would be of as a
14 percent of juvenile migrants and the adults
15 would be as a percent of a adult coming back --

16 MR. BAIRD: I see.

17 MR. BOWLES: So each one of those
18 represents that proportion of that life history
19 stage.

20 MR. BAIRD: So it's your assertion that
21 90 percent of -- take the lower left cell, your
22 assertion that 88 percent of juveniles are

1 killed by the hydro system before they actually
2 get down the river.

3 MR. BOWLES: Congressman Baird, that's
4 not necessarily my assertion. That is out of
5 the Incidental Take Statement within the
6 biological opinion that is allowed take, or kill
7 of those fish associated with the hydro system
8 for juveniles.

9 MR. BAIRD: Okay.

10 MR. BOWLES: So that's right in the
11 Incidental Take Statement.

12 MR. BAIRD: I normally won't want to
13 interject any questions. I just wanted to make
14 sure I understood whether --

15 MR. BOWLES: I appreciate that
16 clarification.

17 MR. BAIRD: So please continue. I'm
18 sorry for the interruption.

19 MR. BOWLES: Now, from -- also from a
20 recovery standpoint, the hydro system impacts on
21 adults is far less, but still important, as is
22 the overall fishery impacts for fall chinook,

1 and as has been discussed this morning. Quite
2 frankly, the other factors are relatively minor
3 relative to recovery impacts, but certainly also
4 important. Now, let's look to the right of that
5 and that breaks down the harvest component of
6 the graph of that mortality. There's very
7 little opportunity to aid recovery through
8 further reductions in fisheries.

9 For spring chinook, which is that top
10 right, ocean and non-tribal river fisheries have
11 negligible impacts and tribal harvested average
12 less than 8 percent. Now, for fall chinook,
13 which has been discussed early this morning,
14 most of the impacts are tied up in treaty
15 commitments with Canada and Columbia River
16 tribes. There's very little opportunity to aid
17 recovery through further reductions in sport or
18 commercial river fisheries, which are currently
19 less than five percent.

20 Now, it's important to note that in
21 river, commercial fisheries have already been
22 reduced seven fold since ESA listings, and

1 tribal fisheries have been reduced by one third.
2 Now, although the focus of recovery must
3 continue to be on the juvenile survival through
4 the hydro system, that does not mean we
5 shouldn't be focusing on these other factors,
6 and I agree with you completely on that. It is
7 just keeping them in contexts and so I would
8 like to just chat briefly about some of those
9 factors and what's working and isn't.

10 As far as hydro impacts on adults, I
11 believe water temperature is very key to this.
12 Impacts from this are both on dam and reservoir
13 passage of these adults, survival rates and
14 straying and wondering. We have elevated
15 temperatures in the reservoirs as well as the
16 differential temperatures between the top of the
17 dam and the bottom and the fishways can cause
18 real delays for fish, something we need to be
19 working on.

20 One thing I caution though is that a
21 lot of our fishways and ladders are designed for
22 strong swimmers like salmon and really do not

1 accommodated Pacific lamprey, which is something
2 we're just finding out, is a concern for the
3 future. As far as the transport system,
4 juvenile barging system, recent telemetry
5 studies are finding that for fish that were
6 barged as youngsters, when they come back as
7 adults, they have 10 percent less chance of
8 making it to the spawning grounds.

9 They also have a 50 percent greater
10 stray rate than the fish that migrated in river
11 as juveniles, so something additional that needs
12 more work and consideration. Dissolved gas is
13 not a significant issue for adults, although it
14 is always important, something we need to watch
15 carefully, and I think some of the floated
16 flectors and the RSWs in the future, the new
17 rule spillway wares can help with that.

18 Congressman, you had brought about
19 pinnipeds and on my graph I show them as a very
20 minor issue. That is based on the limited
21 information we have. I personally believe this
22 is a more important issue than that shows out,

1 but basically the only information we have is a
2 limited course study at the base of Bourneville,
3 which shows this past year it moving upwards to
4 three plus percent.

5 I think this could be substantially
6 larger than this, perhaps even slipping into
7 double digits. It's something that's very
8 important we need to work on. The Marine Mammal
9 Protection Act is key to this with the focus
10 being on the ability for the federal agencies to
11 actually manage these in problem areas -- not
12 just problem mammals, but problem areas and take
13 care of this before it becomes a trained event,
14 which is very critical.

15 As far as -- although I would like to
16 mention that the Corp is continuing it's
17 efforts. We're very supportive of that. They
18 are collaborating with us, hazing efforts as
19 well as excluders on the ladder. You remember
20 some of the pinnipeds got up into the ladder and
21 so we are working on that, but the hazing itself
22 really is pretty temporary and limited in

1 effeteness.

2 Avian predation, these are the birds.
3 Caspian Tern colony has been moved down river,
4 it's a lessened impact, still an important
5 impact, but Double-crested Cormorants are now
6 picking up the slack and it is something that
7 we've got to be better at deterring nesting and
8 the perching of these birds and that's something
9 that the Migratory Bird Treaty is causing us
10 constrains on, so that we would be considering
11 there.

12 Fish predation itself is very little
13 room for improvement. Most of the impacts are
14 actually associated with the hydro system
15 impacts of warmer water and the barriers that
16 the dams provide. I do encourage the
17 continuation of the Bounty Program on the
18 Northern Pikeminnow, which is being somewhat
19 effective.

20 MR. BAIRD: Ed, I am getting the hi-
21 sign from my staff here.

22 MR. BOWLES: All right. Just the last

1 one, fisheries. I would mention that there is
2 little room for improvement here, but some
3 opportunities do exist. We need to provide
4 those opportunities, the incentives and the
5 resources, to continually innovate these
6 fisheries. And some examples are select a
7 fisheries related location, timing, gear type as
8 well as visual identification for keeping this
9 in the context of its ability to provide
10 recovery. Congressman, I would like to stop
11 there. Thank you.

12 MR. BAIRD: All right, thank you, Ed.
13 We will follow with some questions in a moment.
14 Don, please.

15 MR. McISAAC: Thank you very much. I
16 would like to say that I appreciate the
17 opportunity to testify here before you. My name
18 is Don McIsaac, I am the Executive Director of
19 the Pacific Fishery Management Council. Prior
20 to this, I spend 10 years with the Oregon
21 Department of Fish and Wildlife, and 15 years
22 with the then Washington Department of Fisheries

1 with a particular focus on salmon and steelhead
2 scientific research and population management
3 issues.

4 My Ph.D. dissertation was on factors
5 affecting the survival of the wild fall chinook
6 population right here on the Columbia River
7 Basin. This morning, the points I will speak to
8 include the Pacific Fishery Management Council
9 purpose and the Pacific Fishery Management
10 Council record on salmon fishery management, a
11 little bit different thesis on the survival of
12 returning adult salmonoids. I did have the
13 opportunity to read your joint opinion statement
14 that was in the Vancouver Columbian Sunday
15 newspaper and would like to present maybe a
16 little different focus for you to consider, and
17 the last point the economic benefit of
18 fisheries.

19 First on the matter of the Pacific
20 Council's purpose and the Pacific Fishery
21 Management Council's record, the Pacific Fishery
22 Management Council manages offshore fishing

1 under the auspices of the Magnuson-Stevens Act,
2 which is up for reauthorization in this
3 particular Congress.

4 MR. BAIRD: Thank you.

5 MR. McISAAC: The Pacific Council has
6 an excellent record of fishery management on
7 salmon. Each year, the council schedules
8 fisheries to meet conservation objectives on 65
9 salmon stocks that constrain the size of the
10 fisheries, including those wild stocks listed
11 under the Endangered Species Act. There are no
12 stocks currently classified as over-fished in
13 the Pacific Council waters using the federal
14 definition of over-fishing.

15 There are no salmon stocks that have
16 been listed as over-fished and ocean fisheries
17 since the current definition standard was
18 established after the 1996 reauthorization of
19 the Magnuson Act. I will be glad to elaborate
20 under questioning anymore of the performance of
21 the Pacific Fishery Management Council,
22 including the selective fisheries that

1 representative Dicks alluded to for coho salmon,
2 which we view as a tremendous success there.

3 A little bit different thesis and let
4 me say that I wasn't able to contact my
5 colleague from the state of Oregon to my left
6 here prior to these remarks. They are going to
7 be little bit redundant to a little bit of what
8 he has said. But I'm going to go ahead and
9 proceed with them at any rate. An analysis done
10 about 10 years ago got to this question of
11 looking at direct human caused mortality for
12 salmon produced above eight dams, that being the
13 Bonneville Dam, the Dalles Dam, John Day Dam
14 above that, McNary Dam, and then the four snake
15 dams in the lower Snake River.

16 The mortality included deaths to the
17 juveniles on the downstream migration pass the
18 eight dams, deaths by capturing fisheries in the
19 ocean and the Columbia River, and deaths passing
20 the dams on the upstream journey. The deaths
21 were tallied to see the relative weight of the
22 various sectors. The studies show that some 80

1 percent of the adult equivalent human induced
2 mortalities occurred in the downstream migration
3 pass the eight dam reservoir complexes. The
4 remaining 20 percent were spilt between ocean
5 fishing, river fishing, and fish that die
6 passing the dams on the way back up.

7 MR. DICKS: You say 80 percent of the
8 mortality, but you got decide -- you got to tell
9 us what the mortality level is, right? What the
10 number are?

11 MR. McISAAC: Let me illustrate by
12 example what I mean by adult equivalent
13 mortality.

14 MR. DICKS: You are not saying 80
15 percent of the entire number of smolts coming
16 down were killed by the dams, are you?

17 MR. McISAAC: Yes.

18 MR. DICKS: You are saying 80 percent
19 of the mortality of -- that are caused, are
20 caused by the dams.

21 MR. McISAAC: No.

22 MR. DICKS: But that's a number that

1 would be less than 80 percent of the entire
2 amount.

3 MR. BAIRD: Well, let's hear that.

4 MR. McISAAC: Let me go through a
5 couple of examples here that I think will get to
6 the heart of your question. And I think the key
7 here is adult equivalent mortality. You can't
8 just add up a lot of juvenile fish on one hand
9 and add up a number of adult salmon on the other
10 hand, match the numbers up, and call that a
11 comparison. You need to have these
12 equivalentized to adults. For example, if 100
13 juvenile salmon moving down the Columbia River
14 from Idaho through four Snake River dams and
15 four more on the Columbia, if a 100 of those had
16 not been killed by that sequence of dam
17 reservoir complexes, they would have produced
18 about five adult salmon.

19 If 100 salmon are killed on the
20 downstream journey, they are tallied in this
21 analysis as adult equivalent mortalities
22 associated with the juvenile phase of their

1 lifecycle. If one adult fish is killed by the
2 Columbia River sport fishery as might have
3 occurred just outside the window here had the
4 fishery not been closed a couple of weeks ago,
5 that would count as one. So 100 juveniles
6 killed would have turned into, so to speak, five
7 adult salmon. And again 80 -- this analysis
8 showed some 80 percent of all adult equivalent
9 mortality caused by human sources occurred prior
10 to the time the fish entered the ocean, to even
11 be encountered by the fisheries. So I think the
12 answer to your question is yes.

13 This analysis does show that out of 100
14 juvenile smolts coming to the face of the lower
15 granite dam reservoir complex, 80 percent of
16 those will be lost going through the sequence of
17 these eight dams. This was a study done about
18 10 years ago. I think it needs to be updated
19 relative to some fish-friendly turbines and some
20 other improvements. There have been things
21 changing in the world of transportation, for
22 example. But, anyway, the direct answer to your

1 question I think is yes.

2 So my point here is just looking at the
3 effective fisheries on returning fish is
4 focusing on just a small part of the problem.
5 It might look like a large part of the problem
6 if all you see is this last stage of human
7 caused mortalities, but indeed it's not the
8 single largest source of mortality. As an
9 analogy, it's like passing a loaf bread down a
10 lineup of people taking bread.

11 If the first person in line takes eight
12 slices and then the next person in line four
13 slices, but the last person in line faced with
14 two pieces of bread takes one of those, someone
15 walking in the room at that last stage will say,
16 "Look at this gentleman and he is talking half
17 the bread, when in fact, if you look at all of
18 the picture, you will see that one slice of
19 bread taken by the last person is only a small
20 portion of the loaf."

21 Last thing on the Fishery Economics
22 questions, even if you set aside the cultural

1 and social benefits of salmon fishing, which we
2 heard from the gentleman from the Columbia River
3 Inter-Tribal Fisheries Commission, can be huge
4 for the tribal cultures, but if you take away
5 all of those including the social benefits to
6 the non-Indian cultures of the Pacific
7 Northwest, the potential economic benefit to the
8 region can be significant.

9 In your editorial opinion, you cited
10 \$1.25 billion as the value of the 1988 regional
11 salmon fisheries and stated that the fishing
12 closures then have lost about 80 percent of that
13 amount. So roughly about a \$1 billion gap
14 between a 1988 fishery, and we have now where
15 the fisheries are reduced to curtail effects for
16 stocks in need.

17 So the question about paying \$300
18 million a year or as much as \$600 or \$700
19 million a year, if you count foregone
20 electricity revenues, is that a good investment
21 to generate \$1 billion of economic benefit to
22 fishing-based communities and businesses? All

1 I'm saying here is the economic value of the
2 current salmon fishing is significant. The
3 value of a restored fishery can be enormous and
4 needs to be fully considered in any evaluation
5 of the economic tradeoffs of electricity cost
6 increases versus salmon fishing increases on the
7 other side.

8 So in conclusion, I would say offshore
9 salmon fisheries are well managed and the record
10 shows that they are effective in achieving
11 conservation objectives. Secondly, the primary
12 solution to the problem here that we're dealing
13 with lies in the primary cause of the problem.
14 The primary solution to the problem of not
15 enough adult salmon returning to the Columbia
16 River lies in the primary cause of the problem.
17 Too many salmon do not survive the journey past
18 the dam and reservoir complexes, particularly on
19 the downstream journey as juveniles.

20 Fishery interceptions and not the
21 primary problem and, as Ed indicated, shouldn't
22 be looked at as the primary solution. Lastly,

1 salmon fisheries have great economic value and
2 can bring both a positive return on investment,
3 and enormous cultural and social benefits to the
4 Pacific Northwest. This value should not be
5 underestimated in any analysis of the tradeoffs
6 of increased costs of -- to electricity
7 purchasers for increased salmon fisheries. And
8 thanks again for the opportunity.

9 MR. BAIRD: Thank you, Don. Melinda,
10 thank you.

11 MS. EDEN: Good morning, Congressmen.
12 Thank you for the opportunity to testify here
13 today. My name is Melinda Eden. I chair the
14 Northwest Power and Conservation Council, which
15 for 22 years was known as the Northwest Power
16 Planning Council. As you know, the council is
17 responsible for addressing the impacts of
18 hydropower dams on fish and wildlife of the
19 Columbia River Basin. Our second job is to
20 assure the Northwest an adequate, efficient,
21 economical, and reliable power supply, and our
22 third job is to inform and involve the public.

1 While the council's fish and wildlife focuses on
2 hydropower, the impacts of hydropower extend
3 beyond the dams themselves.

4 Accordingly, our Columbia River Basin
5 fish and wildlife program addresses all of the
6 four H's effects on fish and wildlife, habitat,
7 hatcheries, and harvest in addition to
8 hydropower. I focus my remarks today on two
9 topics; how the council addresses harvest issues
10 through our fish and wildlife program, and what
11 our independent science bodies have recently
12 reported to the council regarding harvest.
13 First, however, I want to emphasize that the
14 council makes no claim to regulatory authority
15 over harvest of fish or wildlife. The council
16 recognizes and affirms the legal jurisdiction of
17 fish and wildlife managers and tribal trust and
18 treaty rights.

19 This year, we adopted into our fish and
20 wildlife program 58 individual sub-basin plans
21 that will guide our program in the future.
22 These plans describe local fish and wildlife

1 populations and habitat conditions and
2 therefore, provide the foundation for projects
3 that will be funded through our program.

4 The council intends that sub-basin
5 plans will account for fish harvest within the
6 sub-basins and also in the mainstem river in the
7 ocean. In fact, the council's primary strategy
8 in our program regarding harvest is to assure
9 that the actions funded through the program are
10 consistent with harvest management activities
11 and that opportunities to increase harvest are
12 pursued if and where that is feasible.

13 Currently, the council is involved in several
14 efforts that address harvest. The council's
15 program, for example, funds the Select Area
16 Fisheries Evaluation, a terminal fisheries
17 program in the Columbia River estuary.

18 The council's program also funds coded
19 wire tags and associated research in the
20 Columbia Basin. And the council is leading an
21 effort involving Bonneville, NOAA fisheries,
22 State Fish and Wildlife Agencies, and Indian

1 tribes to develop quantified biological
2 objectives for salmon and steelhead production
3 in the Columbia Basin.

4 We also carefully follow issues
5 regarding harvest. Managers periodically brief
6 the council so that we can keep current. We
7 recognize the complexity of establishing harvest
8 quotas. We are leading the development of a
9 basin-wide research plan that combined with
10 improved monitoring and fish abundance and
11 harvest in the ocean, eventually should lead to
12 better decision making about harvest quotas and
13 to improve survival in freshwater.

14 Consistent with its interest in harvest
15 issues, the council recently commissioned two
16 reports, one by a panel of independent
17 economists and another by a panel of independent
18 fishery scientists. I have included both
19 reports in my written remarks and I have brought
20 with me representatives from each of those
21 bodies to answer any questions that you might
22 have about those reports.

1 In the first report, the council's
2 Independent Economic Analysis Board, IEAB,
3 reported that based on run sizes and harvest
4 levels in the early 2000s, salmon and steelhead
5 production in the Columbia River Basin
6 contributes as much as \$142 million in personal
7 income annually to communities on the West
8 Coast. That amount might support as many as
9 3,600 jobs.

10 About 77 percent of the economic
11 contribution occurs from fisheries in the
12 Columbia River and in the ocean off the coasts
13 of Washington and Oregon. Most of the rest
14 occurs in Alaska and British Columbia, with a
15 very small amount in California. Idaho is
16 accounted for within river. About 63 percent of
17 the total economic contribution was generated by
18 the Columbia in-river fishery, according to the
19 report.

20 Of the \$142 million in economic
21 impacts, commercial fishing accounts for 59
22 percent, recreational fishing contributes about

1 36 percent. In the other report, the
2 Independent Scientific Advisory Board, ISAB,
3 responded to a series of harvest-related
4 questions from the council, NOAA fisheries and
5 the Columbia River Inter-Tribal Fish Commission.
6 In response to the questions, the ISAB made the
7 following recommendations, which are in the
8 report.

9 First, fish production data should be
10 monitored more carefully. I'm shortening these
11 for interest of time. Two, detailed the
12 assessments of individual fish populations,
13 which are the basis for harvest management
14 decisions, must be better documented and
15 scientifically peer reviewed. Third, we need to
16 account for uncertainty, and someone mentioned
17 this earlier, in harvest management targets.
18 Fourth, we need to use adaptive management
19 principles, and we should adopt a systematic
20 approach to test alternative fish recovery
21 actions, including harvest, with an emphasis on
22 achieving secure spawning escapement levels.

1 The scientists also said that harvest
2 managers in the harvest industry needs to be in
3 close contact with the evolving scientific
4 understanding of eco systems, climate and ocean
5 changes in cycles, with respect to salmon and
6 other natural resources. Susan Hannah, who
7 serves on both panels and Pete Bisson, a member
8 of the ISAB, are here as I said.

9 In closing, I want to reiterate that
10 the council continues to work with state and
11 federal fish and wildlife agencies and Indian
12 tribes to integrate harvest with production of
13 both wild and hatchery fish, and to improve
14 scientific knowledge of harvest impacts on
15 Columbia Basin salmon and steelhead. Thank you
16 again for the opportunity to address you.

17 MR. BAIRD: Thank you and thanks for
18 nailing the time, I appreciate that. It's
19 always welcome. Norm, I'll defer to my
20 colleague again, Congressman Dicks.

21 MR. DICKS: This is for Ed. It is very
22 clear from the Hatchery Scientific Review Group

1 study that we should be harvesting as many
2 hatchery fish as we can so as to avoid their
3 impact on wild fish. Why haven't your agencies,
4 both you and Washington State, aggressively
5 pursued selective fisheries so that we can
6 maximize our opportunity to fish and, at the
7 same time, minimize our impact on wild fish?

8 MR. BOWLES: Congressman Dicks, from
9 the standpoint of where we've got listed fish
10 mixed in with the non-listed fish, and the
11 abundant hatchery stocks, I believe Oregon has
12 aggressively pursued selective fisheries,
13 primarily through the marked selective
14 fisheries. Currently all of our chinook,
15 spring-summer chinook and steelhead are -- are
16 marked, and we have selective fisheries on all
17 of those.

18 The only fish that we currently are not
19 marking in the Columbia completely are the fall
20 chinook and as you're aware, those fall chinook
21 hatchery fish are mixed in with an abundance of
22 upriver bright wild fish coming out of the

1 Hanford Reach. And so even if those are all
2 marked, there still is uncertainty how you'd
3 implement a selective fishery because of those
4 abundant --

5 MR. DICKS: And they are not listed,
6 right?

7 MR. BOWLES: Those are non-listed and
8 are very much available for harvest and so a
9 marked selective fishery on those, since they're
10 all there together, would basically allow way
11 over-escapement of fish into the Hanford Reach,
12 but for all other species, we're marking them
13 all and we've got selective fisheries on all of
14 those in the sports section --

15 MR. DICKS: What do you -- how do you
16 deal with the -- how do you deal with the -- the
17 Snake River fall chinook that are -- that are
18 going up at the same time? There -- it's a
19 mixed fishery, right?

20 MR. BOWLES: Yes, Congressman, it is a
21 mixed fishery both for our other fall chinook,
22 the upriver brights, the Coulee as well as some

1 of our summer steelhead, and those Snake River
2 fall chinook constrain those fisheries. For
3 example, the -- when you -- you know, Don
4 McIsaac just mentioned that we were shut down
5 here early this year.

6 I mean all of those constraints on
7 those fisheries are as a result of those listed
8 fish. And so once you hit those impacts, then
9 you shut down those fisheries. And in some
10 respects, those impacts result in, basically,
11 one-third of the allowable harvestable catch to
12 go uncaught in order to protect those listed
13 fish for fall chinook.

14 MR. DICKS: You all have been -- you've
15 been working on the mass-marking program. You -
16 - you've -- you've gotten the equipment. We've
17 been working on this through the Fish and
18 Wildlife Service and through -- and through
19 NOAA. But you guys have been aggressively
20 pursuing -- getting the resources to put this
21 mass-marking program in place, isn't that right?

22 MR. BOWLES: Yes, Congressman, and in

1 fact, we've heard, have not seen for certain,
2 but the fruits of your labors in getting that
3 final marking trailer. We currently have -- let
4 me check, I think there is just under 13 million
5 fish left for us to mark that are currently
6 unmarked in this fall chinook group primarily.
7 If that trailer money does come through, we will
8 find the operating funds in order to implement -
9 - complete that program and then we'd have
10 everything marked out of the Columbia from the
11 State of Oregon facilities.

12 MR. DICKS: Dave, you -- and I want to
13 complement the Fish and Wildlife Service. You
14 guys have moved out aggressively, and one of the
15 things that I wanted to bring up is the fact
16 that we did the Hatchery Scientific Review
17 Group, they worked on the Puget Sound hatcheries
18 and the coastal hatcheries. But the Columbia
19 River hatcheries, I'd like you to tell us a
20 little more about what you intend to do there
21 and maybe we can help, in terms of the
22 resources, to do that.

1 MR. ALLEN: Thank you, Congressman.

2 MR. DICKS: And this is a big gap in
3 the -- in the program, is that right?

4 MR. ALLEN: Right. We learnt a lot
5 from the -- from the Puget Sound effort and you
6 know, are able to actually, you know, benefit
7 indirectly from some of that work in the
8 Columbia. But what we have -- what we have
9 initiated this year, starting with one of our
10 federal fish hatcheries at Warm Springs is a
11 program that's modeled after the Puget -- the
12 Puget Sound program, where we are looking very
13 closely at how we manage -- manage that hatchery
14 to be consistent with -- with our -- with our
15 specific goals, whether it's a -- a harvest goal
16 that the management agencies that we are serving
17 or whether it's a recovery -- recovery goal.

18 We don't have a lot of additional
19 resources to do this, so the -- the timing will
20 probably be somewhat protracted, but we decided
21 we couldn't wait any longer. So we have
22 initiated a process, and with any luck, we

1 should be able to conclude it within -- within
2 three years.

3 MR. DICKS: Is Oregon interested in
4 Hatchery Scientific Review?

5 MR. BOWLES: Congressman, we're very
6 interested. In fact, we have, over the past
7 several years, been leaders in the region in
8 developing a hatchery policy, that deals with
9 the hatchery and wild fish issue very
10 consistently and scientifically defensible way -
11 - approach to this. We've also just recently
12 invested over \$7 million of state money into a
13 hatchery research center, on a coastal tributary
14 to study the effects and the differences between
15 hatching wild fish and help the State and the
16 Region move forward on this. So we're very
17 strong partners in the whole hatchery reform.

18 MR. DICKS: Did you look at the results
19 of the work that we did in Washington State?

20 MR. BOWLES: Yes, Congressman, and we
21 are -- we are also implementing, where possible,
22 reform to our hatchery facilities as funding

1 becomes available. A lot of our past practices
2 associated with out-of-basin broodstocks and
3 different release strategies have all been
4 shifted, where we can into more localized
5 broodstocks and we continue to move in that
6 direction, where it's appropriate.

7 MR. DICKS: Thank you, Mr. Bowles.

8 MR. BAIRD: Thank you. Greg?

9 MR. WALDE: I want to go back to your
10 charts here, Ed, because I'm trying to get a
11 better understanding of the fish mortality
12 issues and the chart that -- the graph here that
13 shows 80 but says up to 80 percent additional
14 mortality for what -- hydro juvenile? Is that
15 correct?

16 MR. BOWLES: Congressman, are you
17 referring to the footnote -- the footnote?

18 MR. WALDE: Yes.

19 MR. BOWLES: That represents -- the
20 bars --

21 MR. WALDE: Juvenile and the --

22 MR. BOWLES: The bars actually there

1 are just directly from the Incidental Take
2 Statement and it relates simply to the direct
3 impact on the juveniles going out of the system
4 plus a correction for what's referred to as the
5 devalue which is the difference between
6 transported fish and in-river migrants coming
7 back as adults.

8 It does not include the delayed
9 mortality of the in-river migrants going down
10 through the hydro system and so that would add
11 an additional up to 80 percent mortality beyond
12 the bars, what the bars already have for --

13 MR. WALDE: For juvenile?

14 MR. BOWLES: For juvenile mortality.

15 That's correct.

16 MR. WALDE: But you are nearly 90
17 percent now and you're going to add 80 percent
18 to that?

19 MR. BOWLES: Congressman, that's -- the
20 way this works when you're doing it by sector is
21 actually multiplicative and it's the survivor
22 rate that's multiplied. So it's not additives,

1 you can't add these up. So what you should be
2 doing is you'd be taking the survival component
3 of that which for spring chinook, let's say it's
4 55 percent. So 0.55 times 0.8, or in this, to
5 get at, well in this case, it will be 0.2
6 because it's the survival reciprocal of
7 mortality. And that would get you at the new
8 total --

9 MR. WALDE: Which would be what? What
10 percent then?

11 MR. BOWLES: Well, in that case, you're
12 upwards over 60 to 70 percent total, for the
13 spring chinook.

14 MR. WALDE: What are you in the fall
15 chinook?

16 MR. BOWLES: For the fall chinook, we
17 don't have good information yet on the delayed
18 mortality. And so I wouldn't venture a guess on
19 that one. That's research that still needs to
20 be done. So I'm -- I'm not going to, you know,
21 basically speculate on above that 80. That's
22 just directly out of the biop.

1 MR. WALDE: And talk to me about that,
2 is -- are those data peer reviewed?

3 MR. BOWLES: Yes the --

4 MR. WALDE: According to the biop?

5 MR. BOWLES: As far as what's in the
6 Incidental Take permit, you know don't know the
7 level of peer review beyond the science center
8 and the folks who put those together. The
9 additional information is work that's been done
10 by both Fish and Wildlife Service and Idaho
11 Department of Fish and Game Scientists, and was
12 recently presented at the Western Association of
13 the American Fisheries Society meeting in
14 Anchorage this past summer. That is currently
15 under peer review for publication. I'm not
16 sure, where it's at on that, Congressman.

17 MR. WALDE: And on the hydro juvenile
18 figure, is this a multi-year study? Is it
19 multi-stock? Is it -- do you know? Does
20 anybody know?

21 MR. BOWLES: Yes, the Incidental Take
22 Statement represents -- let's see if I've got

1 that down, the time series for that, I'm not
2 certain on, I could get back to you on that, but
3 it represents the recent period.

4 MR. WALDE: I was led to believe that
5 maybe one year, one stock is all that we're
6 looking at, here.

7 MR. BOWLES: No, congressman.

8 MR. WALDE: That's not the case.

9 MR. BOWLES: It represents an average,
10 but it is one stock, if you will. This is
11 specific to --

12 MR. WALDE: Fall chinook?

13 MR. BOWLES: -- Snake River fall
14 chinook on the lower graph and Snake River
15 spring chinook on the upper graph.

16 MR. WALDE: All right. And then, Dave,
17 I want to go to you on this ESU issue. Do you -
18 - what role does your agency play in determining
19 ESUs? Any?

20 MR. ALLEN: Well, NOAA's ESU policy
21 actually is a derivative of our joint distinct
22 population segment policy. And what -- what

1 NOAA felt it was necessary to do because of some
2 of these unique life histories associated with
3 salmon and steelhead, they needed to refine
4 their approach to identification of a distinct
5 population segment and as you -- as I'm sure you
6 recall, the significance of that policy is that
7 the ESA allows us, though sparingly, to
8 designate vertebrate populations below either
9 the species or the sub-species level.

10 MR. WALDE: Right.

11 MR. ALLEN: And as a result, it becomes
12 a legal listable entity. But as far as the
13 derivation of the ESUs and the criteria that --
14 that are used to identify those, that is a --
15 that is a NOAA policy.

16 MR. WALDE: All right, because I'm
17 still having trouble looking people in the face
18 and trying to explain why chinook salmon that go
19 left up to the Hanford Reach are different than
20 the ones that go up the Snake, but if you come
21 in the Puget and you go up to the Columbia or
22 whatever those rivers are, that's all one

1 salmon. You tell me how you know the
2 difference.

3 MR. ALLEN: Well, sir, I --

4 MR. WALDE: And then you --

5 MR. ALLEN: The foundation of those --
6 of those ESUs, you know, has to meet two basic
7 criteria. You know, they have to be
8 geographically distinct, and then they need to
9 contribute significantly to the -- to the
10 heritage of the species and the way I understand
11 that's done principally, are based on genetic
12 information that they've obtained from these
13 different groups of fish.

14 MR. WALDE: And so you're --

15 MR. ALLEN: And through that process,
16 they've been able to determine that these are,
17 in fact, distinct groups of fishes.

18 MR. WALDE: You're telling me then that
19 the fish that go up those individual rivers
20 elsewhere in the system, they are treated as one
21 ESU, are one ESU. And they've been checked for
22 their DNA and you know that to be the case and

1 these are different.

2 MR. ALLEN: Well, typically an ESU is
3 not just one tributary. It's multiple
4 tributaries.

5 MR. WALDE: I got no -- Miss -- Eden
6 seemed to look at this --

7 SPEAKER: Well, I wanted to --

8 MR. DICKS: Do you want to comment on
9 that?

10 MR. WALDE: Actually I want to go to
11 her on a couple of points because --

12 SPEAKER: Because they have a -- an
13 input on the chinook --

14 MR. WALDE: Well, I wanted to get into
15 the data issues that you raised briefly in your
16 notes out of your report regarding better need,
17 better peer review, all of that. Does that play
18 into this at all?

19 MS. EDEN: It may very well,
20 Congressman, but I would like to have our
21 scientific -- one of our scientific experts
22 address that for you. Well, whichever one of

1 them is going to come up, I'd like to remind you
2 --

3 MR. WALDE: Sprinting right behind you
4 to come.

5 MS. EDEN: -- Congressman Dicks, that
6 the Congress asked the council a few years ago
7 to do an artificial production review. And we
8 completed that and forwarded it to you, then we
9 did an evaluation of all of the hatcheries in
10 the Columbia River Basin and we have sent those
11 recommendations to Congress, I believe in June
12 of this year. So some of that work has been
13 done.

14 SPEAKER: Good.

15 MR. WALDE: While your scientists are
16 coming up, I have one another question on this
17 graph that seems to be in conflict with what we
18 heard earlier. On the fall chinook mortality,
19 it lists 30 percent of the adults, taken at the
20 hydro system. And yet when I pose a similar
21 question to Mr. Lohn and Mr. Wright, they
22 indicated that the take was negligible on the

1 returning adults in the hydro systems. So, how
2 is your data different from -- and I know,
3 you've got it footnoted here, but I'm --

4 MR. BOWLES: Yes, Congressman, our data
5 -- this is simply taken out of the Incidental
6 Take Statement, and as far as actual measured
7 impacts may be different than this in any given
8 year, but this is the allowed -- within the take
9 statement, this is how many adults are allowed
10 to be killed by the hydro system under the --

11 MR. WALDE: So this is what's allowed,
12 not what's actually occurring?

13 MR. BOWLES: That is correct. The --

14 MR. WALDE: Does that apply to all
15 these bars then?

16 MR. BOWLES: No, we did our best to
17 estimate the actual amounts where we could, but
18 I chose not to get into the controversies of
19 what the actual is, on juvenile adults, because
20 of the debate regarding the methodology of
21 getting there and to just keep a consistent
22 number, we chose the Incidental Take Statement

1 amounts. You'll get numbers of actual estimates
2 because of this delayed mortality effect that is
3 going to cause that to range far above that,
4 perhaps lower, but typically far above that with
5 the delayed effects issues. So this is just
6 taken out of just as contextual allowed kills --

7 MR. WALDE: So we shouldn't read these
8 as actual percentage that are killed?

9 MR. BOWLES: I would say these
10 represent a minimum that are killed associated
11 with this.

12 MR. WALDE: 30 percent of the adults
13 coming back are killed at the -- in the hydro
14 system?

15 MR. BOWLES: Associated with hydro
16 system effects.

17 MR. WALDE: Does that include the
18 pinnipeds.

19 MR. BOWLES: No, Congressman --

20 SPEAKER: No we have them in separate
21 listing.

22 MR. WALDE: Right.

1 MR. BOWLES: That does not include --
2 this represents from Bonneville up, and so most
3 of the pinniped effects are below --

4 MR. WALDE: Including Bonneville --
5 Bonneville up.

6 SPEAKER: This would not include the
7 pinnipeds as far as I understand it. I could be
8 wrong on that, you may -- I mean, we need to
9 check with the Corp of Engineers on that.

10 MR. DICKS: Is your harvest data -- are
11 they based on actual numbers?

12 SPEAKER: Yes, Congressman, those are
13 based on both the biological assessment which is
14 the -- where the actual agencies submit their
15 actual results year to year. And this
16 represents the actual data through the period of
17 1993 to 2005.

18 MR. DICKS: So the harvest represents
19 actually what happened through 2000 -- what were
20 the dates again?

21 SPEAKER: It's in the footnote.

22 MR. DICKS: '93 to 2005?

1 SPEAKER: '93 to 2005.

2 MR. DICKS: Okay. All right.

3 SPEAKER: And I would -- I guess I
4 would --

5 MR. DICKS: That means the rest of us.

6 SPEAKER: I would characterize the
7 hydro component of that as minimum estimates,
8 but I wanted to avoid the debate over the
9 numbers. And we can certainly provide you with
10 our estimates of what they actually are.

11 SPEAKER: Could you do that and could
12 you provide us with the support of data from --

13 SPEAKER: Yes.

14 SPEAKER: -- which those estimates
15 have been arrived at right now?

16 SPEAKER: I'd be happy to do that,
17 Congressman.

18 SPEAKER: If you want to address my
19 other question, I know I have gone over here.

20 MR. BISSON: Congressman Walden, and
21 I'm Pete Bisson. I'm a member of the
22 Independent Scientific Advisory Board. And I

1 would ask you if you could just clarify the
2 question, I'll try to answer it with regard to
3 our report.

4 MR. WALDEN: Well, I guess I was
5 curious in terms of the recommendations out of
6 your report where Melinda said that the fish
7 production data should be monitored more
8 closely. I think you said the data should be
9 better managed and peer-reviewed. What's behind
10 those two statements?

11 MR. BISSON: The primary reasons for
12 those two statements was, as we were reviewing
13 harvest of salmon in the Columbia River Basin we
14 were impressed, if you will, with the lack of
15 data on the effects of harvest on many naturally
16 spawning populations. There are something like
17 13 listed ESUs within the basin, many of those
18 have data that are either dated or don't exist.
19 And much of the responsibility for inventorying
20 the number of naturally spawning fish falls on
21 the state agencies and tribes, whose budgets are
22 already strained to the limit in the last few

1 years. So it's hard to get good data.

2 Our other concern is the proliferation
3 of mass marketing and mark-selective fisheries
4 has reduced the effectiveness of the Coded-Wire
5 Tag Program in determining the effects of
6 harvest on naturally spawning fish. Because the
7 region hasn't made the investment in monitoring
8 yet to do the types of experiments involving
9 things like double index tag releases and high
10 seas electronic tag recovery, to tell us just
11 what kind of effect either mark selective
12 fisheries, or as some of these fishes swimming
13 through non-mark selective fisheries, what the
14 effects are on them. So we are simply trying to
15 argue for more and better monitoring.

16 MR. WALDEN: One final question. When
17 you look -- have you seen this graph?

18 MR. BISSON: No, sir. No sir, I
19 haven't.

20 MR. WALDEN: Maybe when you do, you
21 could get back to me and let me know what your
22 views are on how we should interpret those data

1 too and the years, you know. Thank you.

2 MR. BAIRD: Thank you, Greg. A couple
3 of quick questions. First, Ms. Eden, I thank
4 you for your discussion of recovery plans. I
5 wanted to take this opportunity to compliment
6 Clark County, where we are right now. It has
7 got a very comprehensive habitat restoration
8 harvest plant, et cetera. And Joel Ripley
9 (phonetic) is here, who has been involved with
10 that, they've done an outstanding job. It's an
11 example of some of the good work we have done I
12 think. And if we can implement a lot of those
13 plans, we'll have made a great deal of progress.
14 So thank you for alluding to it.

15 I actually had the occasion to read the
16 report. I confess, I got about a third of the
17 way through the economic report, and got lost in
18 the spreadsheet somewhere and -- but the harvest
19 report I found fascinating; cover-to-cover I
20 read it. But here is an interesting question
21 from me, and it goes back, at the outset of our
22 first panel the Congressman Dicks asked the

1 question about where in the ESA does it allow
2 direct take of an endangered species?

3 Secondly, I'm referring back to this
4 harvest study of yours which suggest that there
5 is great ambiguity in that. And I find those
6 two points are somewhat of a contrast to the
7 testimony offered by Mr. Bowles and Mr. McIsaac
8 both of whom -- both seems to assert that
9 harvest has a negligible impact. And Mr.
10 McIsaac says that no stocks are over fished. I
11 don't reconcile that set of information --

12 SPEAKER: Some are recovered, and none
13 are de-listed.

14 MR. BAIRD: This is the question I
15 have. We've got -- we are saying on the one
16 hand, the harvest has negligible impacts, and
17 yet the ESA raises real questions about whether
18 any impact is allowable, at least direct take,
19 intentional take. On the other hand, we've got
20 one agency, and I've read the study saying great
21 ambiguity in the harvest data and yet another
22 agency saying "But, hey, nothing is over

1 fished." That's why we are here today, I got to
2 tell you. If I had to summarize the reason for
3 today's meeting, it is because of that scenario.
4 And yet, we are, based on that scenario spending
5 hundreds and hundreds of million of dollars,
6 billions of dollars a year and curtailing
7 harvest, et cetera.

8 So we've only got a couple of minutes,
9 but Mr. McIsaac, can you reconcile for me a
10 little bit how you can say nothing is over
11 fished and yet we're in the situation I just
12 described?

13 MR. McISAAC: Thank you very much,
14 Congressman Baird. What I had said in my
15 testimony was that in the Pacific Council arena,
16 no salmon stock was listed as over fished by the
17 definition in the Magnuson Act. So there is a
18 definition or standard here. One person might
19 say --

20 SPEAKER: Is it scientifically peer-
21 reviewed?

22 Mr. McISAAC: Yes, we have a --

1 SPEAKER: Each year?

2 MR. McISAAC: We have a very strong
3 scientific peer review process at the Pacific
4 Council, independent peer review initiating with
5 the one group of scientists and a different
6 group reviewing the science. But it's a
7 definitional problem. One person could say --
8 anytime you have an endangered species, if you
9 catch one that's too much fishing, that's over
10 fishing. What I was referring to is the over
11 fishing standard, the federal designation of an
12 over fished species which goes to ground fish,
13 which goes to salmon, which goes to squid, and
14 the rest.

15 And under that definition, there are no
16 salmon stocks in an over fished condition in the
17 offshore waters of the United States between
18 Canada and Mexico. It does not get to the
19 definition --

20 SPEAKER: Maybe we better review our
21 standards then.

22 SPEAKER: Yeah.

1 SPEAKER: Doesn't get to the -- the
2 Canadian and the Alaskan or the in-river
3 situation.

4 SPEAKER: So in isolation, not counting
5 the take off Vancouver Island, not counting the
6 in-river take. Back to your piece of bread,
7 nobody is eating any bread, are they? We're
8 just out of bread.

9 SPEAKER: Well, what we -- what the
10 Pacific Council was told is that if you eat a
11 half a piece of bread offshore, and don't eat
12 anymore you won't jeopardize the loaf of bread.
13 And we've lived up to the jeopardy standard that
14 has been put on us and have been pretty
15 successful.

16 MR. BAIRD: The Canadians eat a little
17 bread, and the seals eat a little bread, and
18 folks in the river eat a little bread, and the
19 sport fishermen eat a little bread, and the
20 pinnipeds munch a little, we are out of bread.
21 Pretty expensive loaf of bread, we just ate
22 without much satisfaction. Mr. Bowles, I have a

1 similar question to you, you know, it seems that
2 this isn't a problem. Are you folks on the
3 boats?

4 Are you on the -- I asked earlier for
5 Bob Lohn, when we say that the -- how do we know
6 the harvest levels? Are you on -- what
7 percentage of the commercial boats, what
8 percentage of the sport fishermen -- are you
9 actually out there checking to see what's been
10 caught? I'm going back to some extent to the
11 ambiguity we've described from this other
12 scientific study which seems to dispute a little
13 of the confidence presented in your --

14 MR. BOWLES: Sure. Congressman, first
15 off when I said that fisheries are negligible
16 impacts, I mentioned for fall chinook, the
17 overall harvest impacts is not negligible, it's
18 substantial, you know, it's over 40 percent.

19 MR. BAIRD: Okay.

20 MR. BOWLES: What I was clarifying was
21 that the majority is tied up in treaty fisheries
22 both with Canada treaties and Columbia River

1 Tribal fisheries. The non-treaty fisheries,
2 particularly sport and commercial, in the
3 Columbia River are negligible, and that shows on
4 that, that lower graphs. So that's the point
5 that was negligible there and so the ability to
6 affect change is pretty small.

7 MR. BAIRD: Let me go back to the
8 earlier part of the question, how do you know
9 that?

10 MR. BOWLES: These are all gauged,
11 fairly sophisticated, through marking programs,
12 a lot of it is offshore through Coded-Wire Tag
13 Program --

14 MR. BAIRD: Are you on the boats?

15 MR. BOWLES: We are on the boats in the
16 river --

17 MR. BAIRD: How many -- what percentage
18 of the boats are you on?

19 MR. BOWLES: Congressman, I'm not sure
20 the percent that we actually check. It's all
21 done through scientifically valid survey
22 techniques and methodologies. And then you have

1 expansions and actual confidence air bounds
2 associated with that --

3 MR. BAIRD: Can we gather some of that
4 information, just some of that? What percentage
5 of the boats you are on, what data you are
6 gathering, and add into that if you would, "by
7 catch" of -- my understanding is sometimes when
8 we've been on boats, actually lo and behold, it
9 turns out that there is a run of steelhead that
10 we hadn't even seen before.

11 Can you add some of that information
12 about "by catch" data if that exists? Because
13 this is sort of the heart of the matter, isn't
14 it to me? And we're going to probably have to
15 move to the next panel. But I'm -- I personally
16 really want to follow up with each one of you
17 folks, and try to sort out the ambiguities
18 described in the harvest report with the
19 differential jurisdiction of the traditional
20 issues that Mr. McIsaac has raised with the
21 issue of where we are actually getting our data
22 sets on which we base these information.

1 Because until we have that sorted out, I think
2 we've got a problem.

3 MR. WALDEN: If Mr. Bowles has a
4 confidence level that they are checking all of
5 these runs, then why does Northwest Power and
6 Conservation Council say we need to do a better
7 job with data? Can you -- where is the
8 breakdown here?

9 MS. EDEN: Try that one.

10 MR. WALDEN: Yeah, well, isn't that
11 kind -- I mean you're saying, I don't trust
12 their data, or it's not adequate. You are not
13 saying you don't trust it, okay.

14 MR. BISSON: We're not saying we --
15 that we don't trust it.

16 MR. WALDEN: There is not enough of it?

17 MR. BISSON: There aren't enough data.

18 MR. WALDEN: Aren't enough. So what's
19 lacking from the two Fish and Wildlife Services
20 in the States, or is that even the issue? Are
21 you satisfied with the way they collect data?

22 MR. BISSON: I think the problem is, as

1 I mentioned, is that in many cases the data for
2 monitoring populations doesn't fall to the
3 federal government, it falls to state agencies.

4 MR. WALDEN: That's why we have Mr.
5 Bowles here.

6 MR. BISSON: And they are basically up
7 against budgets that don't allow them to do the
8 kind of detailed analysis that we are going to
9 need to do to protect ESUs. Part of the
10 difficulty that Dr. McIsaac mentioned is that
11 they're using -- they are managing very large
12 units. When you get to the ESU levels, with
13 subpopulations then you are managing much
14 smaller units, and it's there that the data
15 break down.

16 MR. BOWLES: Congressman, I failed to
17 recognize an opportunity to ask for more money -
18 -

19 (Laughter)

20 MR. BOWLES: I apologize for that.

21 MR. WALDEN: That's why you have the
22 Governor and a legislature.

1 (Laughter)

2 MR. BAIRD: I want to thank the panel.
3 We can obviously pursue this at some length.
4 We're going to proceed. I'll dismiss this
5 panel, but thank you very much and we'll follow
6 up. We'll proceed to the next panel without a
7 break. Those who -- whose body functions demand
8 it are invited to take a quiet departure, but
9 we're going to move straight through to the next
10 panel, and we'll have a break after that.

11 Our third panel is comprised of Larry
12 Cassidy, who will introduce his own credentials
13 in a moment, it's not on our outline here.
14 Northwest, I know them, but they are too lengthy
15 to mention.

16 SPEAKER: Good job.

17 MR. BAIRD: Northwest Gillnetters
18 Association, Mr. Les Clark; West Coast Seafood
19 Processors, Rod Moore; and Salmon For All,
20 represented by Steve Fick. We'll give one or
21 two minutes or so for those folks to come up.
22 And again thank you for your patience and

1 information.

2 I see that our panelists have all taken
3 their seats, I'll parenthetically note that this
4 has been a real pleasure for the members of the
5 Congress, Norm, myself and Greg, because were
6 we're in D.C. right now, periodically we would
7 be interrupted by vote calls, and et cetera and
8 the chance to sit down with one issue like this
9 with such a distinguished and diverse panel is
10 really a rare opportunity.

11 And we appreciate all of you who've
12 taken the time, not only the folks who are
13 speaking but those who are in the audience, who
14 I'm sure have great interest on many sites and
15 reiterate, if you have information you want to
16 add, we would welcome that.

17 Again I'll begin -- well, the three
18 panel -- our four panelist are Larry Cassidy;
19 Les Clark with Northwest Gillnetters
20 association; Rod Moore, West Coast Seafood
21 Processors, and Steve Fick from Salmon For All.
22 We'll begin with Mr. Cassidy. I'll reiterate,

1 please do your best to try to keep testimony in
2 about five minutes and we'll -- we're only about
3 10 minutes off which for something like this is
4 not bad. So Larry, thank you very much.

5 MR. CASSIDY: Thank you, Congressman
6 Baird. Thank you, Congressman Dicks, and
7 Congressman Walden for inviting me to speak
8 here. For purposes of evaluating the Columbia
9 River Steelhead and salmon recovery issues, I
10 think it is important to outline to you the
11 positions I currently hold with respect to these
12 resources.

13 At the present time, I'm the U.S.
14 Commissioner for the North Pacific Anadromous
15 Fish Commissions dealing with five countries
16 surrounding the interception of salmon and
17 steelhead in the high sea fisheries outside the
18 200 mile border of each of these countries in
19 north of the 33rd parallel.

20 I'm also a member of the Pacific Salmon
21 Commission representing Governor Kulongoski, and
22 Governor Gregoire with respect to the

1 U.S./Canada Pacific Salmon Treaty. And I'm
2 hoping you'll ask me questions later about the
3 West Coast Vancouver Trawl. I have also been an
4 eight-year member of the Northwest Power and
5 Conservation Council serving as Chairman for
6 three years. And last but not least, I'm
7 Governor Gregoire's cabinet-appointee to the
8 Washington Salmon Recovery Funding Board
9 expending the Pacific Coastal Salmon Recovery
10 Act Funds and the appropriated by Congress.

11 I mentioned this only because the
12 perspective I've on salmon and steelhead
13 resource in the Columbia River is unique. And I
14 see not only the efforts to curtail high seas
15 interception outside our 200 mile borders,
16 essentially long lining. But I also am strongly
17 involved in the interface of the U.S.-Canada
18 treaty and work as well on the land based issues
19 involving both the Bonneville Power
20 Administration's expenditure recommendations and
21 the Surf Board efforts under the Pacific Coastal
22 Salmon Recovery Act. I think your enquiries

1 today are centered around what's going on, what
2 can be done better. Obviously we are not
3 winning the game with salmon and steelhead, so
4 how do we get to a better position?

5 Substantive amounts of repaid dollars
6 are expended on significant land based issues,
7 involving all facets of habitat hatchery and
8 hydro impacts. One would think logically, with
9 the amount of monies we are expending for these
10 efforts, we'd begin to resolve, at least some, if
11 not all, the recovery goals required to put
12 salmon and steelhead back on a footing
13 consistent with expectations that the resource
14 advocates. Let me tell you, that is not the
15 case. Let me outline several points I think are
16 extremely important with respect to viewing
17 salmon and steelhead recovery and where the
18 future should take us.

19 Number one, please accept the fact with
20 my first personal experience in 35 years
21 involved in salmon and steelhead recovery, that
22 there is no silver bullets surrounding the

1 salmon and steelhead resource, that if taken,
2 would solve this problem.

3 Number two, an intense land-based
4 management effort costing a significant amount
5 of dollars, must continue but must be made as
6 efficient as possible. Hatcheries must be
7 operated in a concerted effort with common goals
8 and objectives throughout the basin. Fish
9 quality, fish health, and fish genetics must be
10 managed to a level where hatcheries produce the
11 equivalent of a wild fish.

12 There is a common perception that the
13 hatchery fish are not the equivalent to wild
14 fish. Science shows us that hatchery fish
15 spawning on their own would not re-generate the
16 species to the extent wild ones will. I submit
17 to you three Congressmen, that we have not asked
18 the additional question of why? Why can't
19 hatcheries be brought to a point through genetic
20 management, through better health and better
21 quality, to reach a level equivalent to a wild
22 fish?

1 We live in a society that put pumps in
2 people's chest to keep them alive and have had
3 people walk on far off planets. So to me it's
4 logically possible and well within our
5 capabilities to operate our hatchery system in a
6 manner that equivocates that of wild fish.

7 This takes some new and out-of-the-box
8 thinking. There are some examples where this is
9 going on, the Yakima River, the Cle Elum
10 Hatchery. But we have to do it. We have to
11 take these new and out-of-box steps. This will
12 take a mass marking system, but let's just know
13 that the result of each hatcheries efforts. I
14 can't fathom how under this intricate system of
15 hatcheries we operate in the Columbia Snake
16 Basins, we can continue to plant fish of
17 innumerable amounts, and not have some method of
18 checking the success of those particular
19 efforts.

20 There may be cases where some
21 hatcheries are not achieving their goals, and if
22 so they should either be brought to be a point

1 where they do, or should be closed. I think
2 hatcheries can be improved significantly. I
3 know on the Power Council, as Melinda referred
4 to, we're working ardently on that. And they
5 can -- I think they can be and continue to be a
6 key component to additional recovery success.
7 Once again, not the silver bullet.

8 Accepting the fact that we have a an
9 expensive land-based system now operating to
10 recover salmon and steelhead, I would bring to
11 your attention one of the large areas we are
12 spending little or no money, and little or no
13 effort on, the ocean. Here is where salmon and
14 steelhead spend 75 percent of its life, and we
15 send in innumerable amounts of migrants, either
16 by smolt size or fry size to the ocean. And if
17 there aren't proper systems evaluating the
18 capacity of the ocean to accept those fish, feed
19 them properly, grow them to the size anticipated
20 as returning adults then, we achieve little of
21 anything, except more expenditures of funds of
22 the cost of ratepayer money or congressional

1 appropriation.

2 If I were to cite one specific thing
3 you three gentlemen could work on, it would be
4 to examine and subsequently expand efforts to
5 study the ocean impacts on salmon and steelhead
6 and with particular emphasis on the carrying
7 capacity of the ocean. What happens when the
8 decadal oscillation current changes? What does
9 it mean when the north winds are coming?
10 Without exception, when the discussion about
11 recovering salmon and steelhead comes up with
12 the involved parties, the harvest issue emerges.

13 That's come up several times today.
14 Let me say to you, in my experience I've seen no
15 time yet, where eliminating a specific facet of
16 the harvest would solve our problem. There is
17 no question if some listed fish, and the good
18 example is Snake River fall chinook, are
19 intercepted in some portions of the Canadian
20 fisheries and some of portions of the lower
21 Columbia River Fisheries below Bonneville.
22 Tweaking the prosecution of those fisheries to a

1 level were we reduce interception will be
2 helpful and meaningful. But it is not the
3 silver bullet solution to resolving the listing
4 of Snake River fall chinook. To the extent we
5 can help that resource, we should but it's going
6 to take the continued combined effort of all
7 facets of fish recover whether it's a Snake
8 River fall chinook other different species
9 throughout the basin.

10 Another important item that we should
11 note for salmon and steelhead recoveries deals
12 with publicity and information that is
13 constantly admitted with respect to the cost of
14 salmon and steelhead recovery for the Basin. If
15 you read most media articles today, and I think
16 this number came out today, you read the number
17 7 to 750 million a year is expended for salmon
18 and steelhead recovery in the Columbia Basin.
19 And let me make it quite clear, the actual
20 dollars expended are significantly smaller than
21 that number. At the Power and Conservation
22 Council, you heard from our chairman we expend a

1 143 million a year on fish and wildlife
2 recovery, and the Corps of Engineers manages
3 another 200 million with respect to the Columbia
4 River system including the operations of the
5 dams, a portion of which contributes to
6 electrical power generation. The balance of
7 that number is some 390 million is called
8 forgone revenue. It's a unique accounting
9 statistic that assigns the charge to fish and
10 wildlife recovery because the water is spilled
11 over the dam for fish, as Alpine migrants travel
12 rather than through the turbines which would
13 generate power. I don't deny this is a cost of
14 forgone revenue, that is, monies that were not
15 generated, but is certainly not an expenditure
16 of monies such as the direct expense of the
17 Power Council or the Corps of Engineers.
18 Keeping honest information flowing as to what
19 the true cost of maintaining this wonderful
20 resource is widely important to the region's
21 acceptance of maintaining salmon and steelhead.

22 So in summary let me say there is no

1 silver bullet. We can't continue to ignore the
2 ocean any longer. We treated it like a black
3 hole and we shouldn't. And we should explore
4 every facet and impact on salmon and steelhead
5 in the ocean and may -- and we must maintain our
6 land-based efforts we are undertaking for salmon
7 and steelhead. And we must make them more
8 efficient and use the least cost methods.

9 Let me give you one example before I
10 close, of what we've achieved in the Columbia
11 Basin because we've put a lot of negative talk
12 today and there are some significantly positive
13 things going on. If you'll accept the premise
14 that the mainstream projects in the Columbia
15 River are not going to be torn out. I'm talking
16 about Bonneville dam, the Dalles dam, the McNary
17 et cetera. And if you read the ESA, which I'm
18 sure you all have, you'll realize we have two
19 goals that are diametrically opposed.

20 The projects are not coming out as a
21 resolution of salmon and steelhead recovery and
22 ESA does not allow us the option to lose its

1 resource. How then, do we solve this problem?
2 We need to expand the salmon and steelhead
3 populations in the offsite tributaries. Rivers
4 like the Chalets, Northfork, Klickitat, Yakima,
5 et cetera. And these offsite tributaries need
6 to be put in a position to carry more successful
7 spawning. Here is an example of what really we
8 have achieved in the recent months. The
9 Klickitat River had a fish impasse at Castille
10 Falls which is approximately adjacent to Mount
11 Adams. And the Klickitat River head waters in
12 the Goat Rocks Wilderness area clear to the base
13 of Mt. Rainier. Through federal expenditures
14 we've revamped the tunnel around Castille Falls
15 blockage and now opened 87 miles of habitat on
16 the Klickitat for salmon and steelhead that
17 hitherto fore had been closed and unavailable.

18 MR. BAIRD: Larry, I'm going to ask you
19 to wrap it up fairly quickly. It's important
20 example, and I'm glad you are raising it.

21 MR. CASSIDY: Within weeks fish use
22 this thing -- we use this new passage facility

1 in and out spawning that 87 miles. And this is
2 how we win the game. Inch by inch, watershed by
3 watershed, and it all depends on the approach to
4 how we do our land-based effort. Thank you for
5 the opportunity to testify.

6 MR. BAIRD: Thank you very much. Mr.
7 Clark, Les, thank you.

8 MR. CLARK: Thank you, Congressman.
9 Congressmen, ladies and gentleman, my name is
10 Lance Clark. I'm a full time commercial
11 fisherman. And I represent the -- one of the
12 fishermen groups on the river Northwest
13 Gillnetters Association. And I think you should
14 take a good look at me, here today, because I'm
15 one of the endangered species. I'm on the list.
16 I would like to hit a few points of the fishing
17 communities and our fantastic fish talks on this
18 river. The fishermen support the concept of the
19 Endangered Species Act. However, we believe
20 that it needs modification in several areas.
21 One of the areas I think there needs to be --
22 we've heard the water rights up and down the

1 river. We need the water right for the fish.
2 The fish was here first. The effect of the
3 seals and the seal lions as predators, we need
4 to -- a ESA listing that is balanced.

5 We need to have it in the right place
6 so when our managers see a problem they can take
7 care of the problem. The effect of the seals
8 and the sea lions, and some of the other
9 predators have to be addressed before we can
10 address some of the other problems. If we take
11 one off and the others still there, that doesn't
12 solve the problem. Now, the gillnet industry
13 has been on the river since about 1884. And has
14 done everything in its power for conservation to
15 try to help all these stocks and rebuild fish.

16 Every time the fish needs some help the
17 fishermen have always been there to help the
18 fish. I -- my family is a fishing family from
19 1940. I have two sons that are full-time
20 fishermen and I have a -- one older daughter --
21 I have two daughters and the older daughter's
22 married to a fisherman. The gillnet industry

1 went through three buybacks in Washington to
2 reduce the numbers in looking forward to better
3 fishing conditions and putting up share-in.

4 And so we're still taking cuts and
5 everything. The gillnet industry is the
6 public's access to Salmon. The quality of the
7 Columbia River Salmon is tops in the world, bar
8 none. The very best seafood in the very best
9 seafood restaurants, white tablecloth
10 restaurants that they are. And you can ask the
11 tribal people, it is a ceremonial and religious
12 right to those people, a way of life, and it has
13 always been a way of life.

14 I think you need to look at the
15 spawning grounds, after we get fish over all of
16 the dams into the spawning grounds, how sacred
17 is that fish up there to the fish that's
18 harvested in the ocean. And not to cut the
19 people out that live in that area. They all
20 have to be taken into consideration. The
21 dewatering of the spawning grounds at different
22 times, with power generation, as Larry said,

1 supplementation. The jet boats and the hip
2 boots are on the spawning grounds, at times when
3 the eggs are in the very tender state.

4 It doesn't have to be all the time, but
5 there's that critical time that those things
6 need to have the focus. So it's to plug all the
7 holes where we have losses and to move ahead
8 with the production and get a plan on the ESA
9 that is manageable and flexible. Those are our
10 considerations and the fishing community has
11 been going down steadily, steadily, steadily,
12 and we're trying to hold in there and still
13 fight for the fish.

14 Well, those are some of our concerns,
15 and I would be glad to answer any questions you
16 might have.

17 MR. BAIRD: Les, thank you very much
18 for your comments. And Rod? Thank you.

19 MR. MOORE: Thank you, Congressman.
20 And for the record, my name is Rod Moore, I'm
21 the Executive Director of the West Coast Seafood
22 Processors Association. We're a trade

1 association representing primary seafood
2 processors and associated businesses. Now, as
3 primary processors we rely on a mix of fish to
4 keep our plants operating throughout the years,
5 maintain our workforce, to provide, you know,
6 goods to the economy. And Salmon has always
7 been a part of that mix, although its relative
8 role varies from port to port, year to year.
9 But we have an interest in maintaining
10 sustainable fishery for Salmon and in order to
11 supply the American consumers, who are our
12 primary customers.

13 Now, maintenance of that fishery, in my
14 view, has three primary components. One is
15 providing sufficient returns to ensure a
16 harvestable surplus, either directly on wild
17 fish or indirectly through stock augmentation.
18 The second is managing removals of all types
19 from the surplus, so that we don't exceed
20 conservation limits. And the third is to fairly
21 allocate access to those removals amongst all
22 appropriate user groups.

1 Now, in regard to providing returns,
2 I'm not a Salmon expert, I'm not a salmon guy.
3 In fact, when I -- stuff I was taught 30 years
4 ago when I went to school at the University of
5 Alaska is now considered the wrong thing to do
6 in terms of Salmon habitats. So I'll defer it
7 to some of the folks here and the people who
8 testified earlier in regard to that.

9 But I do want to make the point that
10 our association does not advocate blowing up the
11 dams to bring back salmon. Quite frankly, the
12 United States, 60-odd years ago, made a social
13 and economic decision that said we have to
14 answer some very pressing needs in the
15 Northwest, and we believe those needs can only
16 be answered by building dams on the Columbia and
17 Snake Basin. And I think a lot of those needs
18 have been met. But they still exist and if we
19 take down the dams, you know, it's not going to
20 do anything for providing farmland power,
21 irrigation, water transport, all of the things
22 that we think are important. The way we tried

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1 to fix that was through some engineering of the
2 dams and through construction of hatcheries.

3 Again, I'm not a salmon guy, I can't
4 tell you whether the hatcheries were constructed
5 right or wrong, or whether they are doing the
6 right thing. There are obviously folks who
7 think they aren't, but those are the tradeoffs
8 we made and those social and economic needs
9 still exist. So looking at managing the removal
10 of fish, you know, that's an issue that affects
11 all of us. We have restrictions on dam
12 operations, on agriculture, homebuilding,
13 forestry, grazing, on harvest, all of these, and
14 we all face these restrictions.

15 And looking at harvest, you know, we
16 have time and area closures, catching the least
17 requirements, harvest limits, and gear
18 restrictions. And these are designed to take
19 maximum advantage of hatchery stocks and to
20 minimize the impacts on wild stocks. You know,
21 these regulations that we have are probably
22 about as solid as we can get, but they're not

1 going to be a 100 percent successful as long as
2 fish intermingle in the oceans and the rivers
3 and that's what fish do.

4 So we tried to predict to the best of
5 our ability, what the impacts would be on wild
6 fish, by putting in effect this regulation or
7 that one and then tried to do the least harm,
8 while still providing some level of economic
9 support for the coastal communities. And this
10 is exactly the same principle that land managers
11 used in judging the impacts of other human
12 activities on salmon. The fact remains we
13 cannot have an economically functioning society
14 and still save every wild salmon that returns to
15 the river. It's just not going to happen. And
16 so we reach the third point, which is
17 allocation. Now, in my view it is --

18 MR. BAIRD: Rod, I'm getting the one-
19 minute sign from my staff.

20 ROD: Okay. It's equally foolish for
21 the governor of Idaho to suggest simply shutting
22 down the commercial fishery as it is, to have to

1 sue every time you use water for something other
2 than fish. So I'm going to offer a modest
3 proposal; it's endorsed by our association.
4 There is a bill that has been introduced in the
5 Senate by your colleague Senator Smith that
6 would help rationalize the whiting fishery and
7 thereby prevent impacts on salmon incidental
8 catch in the whiting fishery, and I commend that
9 bill to you.

10 So in closing, as a consumer, I know
11 that I can purchase seafood that's good for me.
12 As a sportsman, I enjoy trying to catch my own.
13 And as a homeowner, I like having electricity,
14 so I can cook it, whether I catch it or I buy
15 it. And as a taxpayer, I'm not crazy to be
16 frustrated that after a decade of spending
17 hundreds of millions of dollars, we're still at
18 the name-calling, finger-pointing stage. I
19 think we can and should do better than this.
20 Thank you.

21 MR. BAIRD: Thank you very much.
22 Steve?

1 MR. FICK: Yes. Congressman, thank you
2 for this opportunity to address you today on
3 this important issue. For the record, my name
4 is Steve Fick. Today, I'm representing Salmon
5 for All, it's an industry and consumer based
6 organization out of Astoria, which represents
7 fishermen and processors, restaurants and what
8 have you, community members around the rural
9 Oregon and metropolitan areas of Oregon and
10 Washington. Between Les and I, we have about a
11 hundred years of fishing experience -- 90 years
12 of those are Les', so --

13 (Laughter)

14 MR. FICK: I'll defer the harvest
15 issues to him probably.

16 MR. BAIRD: Steve, can you speak up a
17 little louder and --

18 MR. FICK: I'm sorry.

19 MR. BAIRD: We're here a little --

20 MR. FICK: Is this a little better?

21 MR. BAIRD: I think so.

22 MR. FICK: Okay. So the first point

1 I'd like to make is that our goal of salmon
2 recovery in general is that we want to minimize
3 the impacts to all user groups that benefit from
4 water uses on the Columbia River. And I
5 personally have taken the effort to go to
6 Umatilla and meet with farmers back there, their
7 agricultural concerns, they've come to Astoria,
8 we've had a good dialogue. We find we're very
9 similar. We have a lot of the same common
10 goals, we're rural communities, we want to raise
11 our families, we want to prosper.

12 And so this -- one of the points I want
13 to make is we need to find solutions that are
14 going to have minimal effects on what we have
15 put ourselves in at this point. It's important
16 to realize that the rate payers of the Northwest
17 have recognized, they are willing to pay for
18 salmon recovery and the promises made when we
19 first put the first dams, Bonneville and Grand
20 Coulee, in that we would have sustainable,
21 viable, commercial fishery harvest on the
22 Columbia River through the -- which they did

1 with the Mitchell Act, tried to -- attempted to
2 with the Mitchell Act, and have electricity.
3 And people support that concept and they want to
4 see it happen. Today, they want to see it and
5 if it costs them more money, they're willing to
6 do that.

7 It's interesting that since Senator
8 Hatfield had his Salmon Summit over a decade
9 ago, most of the experts -- all of the experts
10 in the field have recognized that commercial
11 harvest in the Columbia River is not a
12 significant impact of salmon recovery. That
13 completely was off the table when that summit
14 was convened over ten years ago, they said, "We
15 recognize that your commercial fishery does not
16 have a significant role in recovery, because
17 for, one thing is, we are harvesting focused on
18 selective harvest of harvestable numbers of
19 fish, both wild and hatchery stocks, under a --
20 under the ESA guidelines, under a no-jeopardy
21 opinion that every fishery is implemented in."

22 So I think that's important that we

1 recognize that we have stayed within the no-
2 harvest, no-jeopardy guidelines with harvest and
3 which really are no-jeopardy through the science
4 that has been reviewed before we implement these
5 fisheries.

6 I think it's very important to
7 recognize the social value of salmon to our
8 rural communities particularly. I'm from
9 Astoria, I have a fish-processing plant, I
10 employ dozens of people; some of those are
11 seasonal. I also have a plant in Alaska. There
12 is a lot of fishermen that this is part of their
13 overall business plan. Some of them fish other
14 areas, such as Les, he fishes in Alaska for part
15 of his business plan, some of them crab. We
16 lose this segment of our harvest opportunities,
17 and for the fishermen, it is very significant.
18 And I'll guarantee you, from this processor
19 standpoint, it's extremely important that we
20 have Columbia River salmon to harvest and
21 provide jobs.

22 The social aspects of it further not

1 only goes to the economics of people like
2 myself, it goes to the social structure. There
3 is clear correlations between social health of
4 these rural communities and the viability and
5 the health of the salmon harvest by the
6 commercial fisheries, which support a large part
7 of those communities. And I really ask you to
8 really take serious consideration when making
9 decisions on harvest issues, and how we can work
10 within those guidelines.

11 Our industry has been selective.
12 Through time we've devised a tool such as the
13 tangle-net recovery boxes. We are working
14 towards increased selectivity through other
15 methods. We're willing to look at things, we're
16 business people, we want an economic base, it's
17 viable, and so we continue to improve our
18 selectivity, although we have one of the most
19 selective harvest opportunities that presents
20 itself to catch these fish.

21 MR. BAIRD: Steve, I'm getting that 30-
22 second sign.

1 MR. FICK: Okay, 30 seconds. Okay.
2 Just some general solutions, general
3 observations that need to be considered. You
4 need more water flow in the Columbia River.
5 Water flow and salmon survival, there's a clear
6 correlation between that. We need to have
7 partnerships with Canada and the other half of
8 the United States, which is Alaska; we need to
9 work with those people. And we need full
10 implementation of the Northwest Power Act, which
11 gives equity to salmon. And so with that, I
12 welcome any questions you might have. Thank you
13 for this opportunity.

14 MR. BAIRD: Thank you, Steve, very much
15 for being here. Norm?

16 MR. DICKS: Larry Cassidy, good to have
17 you here. It was a very thoughtful statement,
18 thank you all of you for your statements;
19 they're quite good. You are -- you've been a
20 U.S.-Canada Pacific Salmon Commissioner and one
21 of the things you've looked at recently is the
22 efficacy of the coded-wire tag program and mass

1 marking, selective harvest. This was brought up
2 earlier, but I wanted to wait until you got here
3 to give you a chance to give us your view on
4 this.

5 I am of the opinion that we can -- that
6 there are ways to fix whatever problems there
7 are within coded-wire tag, but this has been
8 raised by a lot of people as -- I call it kind
9 of an excuse not to go towards selective harvest
10 and mass marking. Can you give me your take on
11 it from your position?

12 MR. CASSIDY: Yes, I can, Congressman.
13 And the coded-wire tag system presently in place
14 in the Columbian as well as other parts of the
15 region is vitally important to tracking the
16 progress of fish and the returning adults. The
17 Mass Marking Selective Fish Program is a good
18 alternative, but the complaints that are
19 emerging are more from the standpoint of the
20 impositions that they cause to processors, which
21 are real and justified. For instance, there
22 could be a much more confusing method of gauging

1 what fish are in a particular stock when they do
2 a stock assessment if they're all marked and not
3 clearly indicative about a coded-wire tag which
4 goes to a more definitive level.

5 But on the other hand, we think that
6 there's an important level for mass marking.
7 Simply to give a judgment, are we being
8 successful with the hatchery programs?

9 MR. DICKS: Right.

10 MR. CASSIDY: As you heard earlier, 70
11 percent of the returning adults to the Columbia
12 basin are hatchery fish. Which hatcheries are
13 being successful and which ones that we're
14 spending innumerable amounts of money on, should
15 we continue to support? There's an example in
16 the Cle Elum, Washington of the Yakama Nation
17 managed hatchery -- actually they co-manage it
18 WDFW, our state agency. And in the process of
19 using that hatchery technique, which is state-
20 of-the-art, the jewel of the Northwest as far as
21 we are concerned, we've gone from 900 to a 1000
22 returning spring chinook in the Yakama to

1 19,000, where they use special techniques of
2 wild stock only for brooding. They teach the
3 fish to evade predators, they release them under
4 volitional release.

5 So those marked fish are going to give
6 us a much better gauge of how we're being
7 successful. The coded-wire tag workshop we held
8 at the Pacific Salmon Commission was held about
9 four months ago, Norm, and the report is not out
10 yet. But I'll be certain all three of you get
11 it, and it will discuss the coded-wire tag
12 values and our interfacing with mass marking and
13 selective fishing.

14 There is one third element also, and
15 one that frankly is put forward by the Canadians
16 regularly and that's the DNA system, using a DNA
17 system to identify fish. The problem, as I see
18 it, because I look at this more pragmatically
19 than I do anything else, is that the DNA system
20 takes years to implement. You'd have to
21 establish a DNA library of information for every
22 sub-basin from L.A. to the Aleutian Islands and

1 -- to make it purely usable by all the
2 resources. So I think DNA has a future, but it
3 may not work for now.

4 So the issue now is what can we do now
5 to make sure these monies we're spending in mass
6 marking should play a role in that?

7 MR. DICKS: Well -- and you raised the
8 question about, you know, the problems
9 associated with it. But there are wands and
10 tubes that can be used so that the fisheries
11 people can determine, processors and others,
12 which fish are -- actually have the coded-wire
13 tags and as somebody who, you know, has been
14 involved in this a little bit, you could -- we
15 could give a coded-wire tag to mark up the fish,
16 so that the numbers percentage-wise would stay
17 up.

18 So I think there are practical ways to
19 do this, they're just -- you know, people say,
20 "We don't have any money," or they don't --
21 they're using a lot of different excuses, I
22 think, just to -- because they say, "Oh, it's

1 too difficult," and therefore, it's going to
2 undermine the coded-wire tag program. We'll --
3 either we're going to save these fish or we're
4 not.

5 Now, let me ask you another question.
6 You follow very closely what's happening off of
7 Vancouver Island and the numbers on the
8 interception of these wild fish there in your
9 role in the Pacific Salmon Commission. Can you
10 give us -- can you fill us in on what you know
11 about that?

12 MR. CASSIDY: I can. I didn't bring
13 the specific numbers with me; I wish I had. In
14 my dual role as a Pacific Salmon Commissioner
15 and also a member of the Northwest Power and
16 Conservation Council, I urged a presentation to
17 the Council about three-four months ago of the
18 actual impacts in the ocean, not only on the
19 West Coast Vancouver trawl, but SEAF, which is
20 Southeast Alaskan Fishery and NBC, which is
21 Northern British Columbia Fishery with respect
22 to salmon interception rates. I will see that

1 all three of you get that. And you must tell
2 me, can I -- should I mail it to your local
3 office or -- doesn't your mail go through Ohio
4 yet and still not get to you for weeks, if --

5 MR. DICKS: Send it locally for me.

6 MR. CASSIDY: So I will get it to your
7 regional office, it's fairly lengthy and it's
8 really valuable. The specific emphasis you've
9 talked about today, and it's come up in other
10 conversations is the West Coast Vancouver trawl.
11 And I want to assure you, the Salmon Commission
12 is not picking lint out of its navel with
13 respect to this issue. We're working on it hard
14 and next week I'll be in Alaska working on a
15 nine-question presentation to the Canadian
16 bilateral section of the Pacific Salmon
17 Commission, that we hope to get agreement on to
18 submit what we call our Chinook Technical
19 Committee, also bilateral between both
20 countries, that would ask scientific questions
21 as to what's happened on that West Coast
22 Vancouver fishery.

1 Remember, we -- as I'm sure you all
2 agree, we got to base what we're doing on
3 scientifically based questions that get to the -
4 - address the issue. Have they through -- for a
5 variety of reasons, let me put it that way, have
6 they shaped that fishery in a manner that
7 they're no longer using the aggregate abundant
8 space management system, which would put the
9 emphasis on their own stocks versus stocks that
10 are now headed for Puget Sound, Columbia River,
11 the west coast of Oregon or Washington. We
12 don't know that yet.

13 And let me emphasize very carefully as
14 you know better than I as members of Congress,
15 treaties are one of the foundations of this
16 country. I mean, certainly the Constitution or
17 Bill of Rights come first, but treaties whether
18 they are national defense, or in this case,
19 Pacific salmon are an essential element. And
20 we're talking about a bilateral issue with
21 another country that's a very favorite friend of
22 ours and certainly a neighbor.

1 So we need to approach this relatively
2 cautiously, and I know that both the State
3 Department and the Pacific Salmon Commission
4 members such as myself are working hard to get
5 this presented. And just to give you an example
6 of some of the implications and value of this
7 treaty is, we look at it from a local standpoint
8 here, that our fish may be intercepted
9 inappropriately or not. I can't make that point
10 today, but I will get those answers.

11 But that treaty also deals with the
12 Alaska interception of Canadian fish. These
13 fish have a tendency to go north. There are
14 some species southwest Oregon that may not do
15 that as much, but basically they head out into
16 the ocean and wander up for the food supplies.
17 So it's very, very patient steps we have to take
18 to make sure we have to maintain that bilateral
19 agreement. And I think from every sign I've
20 seen, we're going to get a positive response
21 from Canada to present this as early as January
22 to the Chinook Technical Committee, which is a

1 bilateral group of scientists and managers from
2 both Canada and the U.S. And they will address
3 this with respect to the West Coast Vancouver
4 trawl.

5 So we are on this issue and have been
6 for a number of months. It's a very complicated
7 problem, as you know. I've worked with you a
8 lot, Norm, and we like to move fast and get
9 pragmatic about what we can do. But this is
10 like pushing a bowling ball uphill with your
11 nose. It just doesn't move very fast on a
12 country-to-country basis. We had an argument --

13 MR. DICKS: Well, I was involved in the
14 original situations --

15 MR. CASSIDY: I know you were, yes.

16 MR. DICKS: It can help.

17 MR. CASSIDY: And I think it's
18 important to bring out in the '99 Amendment to
19 the Pacific Salmon Treaty, we went from -- just
20 to kick around a number, something like 70
21 percent interception to 35 to 40 percent, all at
22 the expense of Canada. They made some very

1 positive contributing steps to more returning
2 adults. And frankly, I think that there needs
3 to be some credit given to the extra increase of
4 adults we've had in 2000, 2001, et cetera to
5 that portion of the treaty as well as better
6 ocean conditions and some of the other things we
7 were talking about. But we're working on that
8 issue; we've got both eyes focused on it.

9 MR. DICKS: I didn't hear "equity," did
10 I?

11 MR. CASSIDY: No.

12 MR. BAIRD: Greg?

13 MR. WALDEN: Thank you. Larry, tell me
14 from your experience, what's Canada's view
15 toward the Endangered Species Act in the United
16 States?

17 MR. CASSIDY: That's a very interesting
18 question, because at our last Salmon Commission
19 meeting one of the items on the agenda was
20 listed by the Canadians. They said, "Could you
21 give us a rundown of how your Endangered Species
22 Act works?" We have a new act in our country

1 called the SERA, Species at Risk Act. And for
2 the first time, they are now confronted with
3 virtually an identical piece of legislation,
4 national legislation that puts fish, birds,
5 wildlife, other creatures, in a status where
6 they have to be protected if they get listed.

7 Their listing process is significantly
8 different than ours, but I can tell you, when we
9 got them interfacing them for about four hours,
10 they were walking out of there with some droopy
11 chins. It's -- and they gave me the example of
12 --

13 (Laughter)

14 MR. WALDEN: Welcome aboard.

15 MR. CASSIDY: What's that?

16 MR. WALDEN: Welcome aboard.

17 MR. CASSIDY: Yeah, right. And just to
18 give you an example, the Fraser River sockeye
19 run is probably the honey bucket of all the fish
20 runs and very important to the United States
21 section. And we intercept those fish first and
22 our portion is small, but we still are the first

1 harvesters of that. They have one small run out
2 of millions of sockeye called the Cultus Lake
3 sockeye run that is SERA listed. And they have
4 no concept of how to separate out that small run
5 from the millions of other sockeye that are
6 coming back that are so economically important
7 to both Canada and the U.S.

8 So they're faced with some of the same
9 obstacles we talked about here today and the
10 story goes on. So it's -- they're looking at
11 it, sort of saying, "Wow" and they're having to
12 get focused. They also have, for the first
13 time, and maybe it should have happened before,
14 a First Nation's issue, which is the equivalent
15 of their -- our treaty issues. And their First
16 Nation groups do not have treaties such as our
17 groups in the United States, but there is a
18 recognition nationally in Canada that there must
19 be a commitment to the First Nation groups and
20 that's emerging fast.

21 MR. WALDEN: I think-- you know, you've
22 heard it said here and it's something that

1 brings me to this meeting, just this notion that
2 you can -- that it's okay to harvest an ESA-
3 listed fish as part of a larger harvest and
4 somehow that has insignificant impact on the run
5 itself, especially as you were talking about
6 with their view and their SERA and the fish,
7 it's sort of like our Snake River fall chinook,
8 isn't it?

9 MR. CASSIDY: In some respects it is,
10 and --

11 MR. WALDEN: One small piece of a
12 bigger run and it --

13 MR. CASSIDY: Absolutely.

14 MR. FICK: And it just -- to me I have
15 trouble in my little brain finding the logic
16 that it's okay to slaughter the fish that -- on
17 the other hand a judge is about to rip a system
18 apart saying we're not doing a good enough job
19 in every respect. And when I hear about the
20 loss of the juveniles going down and I know the
21 work that's being done there, I know the work
22 that's being done on habitat improvements, I'm

1 out in those watersheds in my district, and I
2 recognize there's more that can be done, I just
3 have trouble. When they finally do get through
4 everything they have to get through to get out
5 and start their way back, that's where they get
6 taken out.

7 And I'm not trying to destroy the
8 fishery industry, believe me. But if our top
9 federal law, the ESA, just shy of the treaties,
10 says, "You have to protect this" and in every
11 other species' case we do with very little
12 exception and we do it at the border even, why
13 aren't we doing it here?

14 MR. CASSIDY: Excellent questions. I
15 was trying to use this example to -- managing
16 the fishery resource for those -- for salmon and
17 steward, more so for salmon, is like trying to
18 manage a railroad train going down the tracks at
19 the same time you're trying to load the cars, or
20 unload the cars in some cases.

21 And -- but I wouldn't leave you with
22 the impression from my work that the Canadians

1 are up there with, licking their lips about
2 catching our fish. They are very responsible
3 people. We work ardently with them. They put
4 as much effort on what we are doing here on our
5 land based issue as anyone, and even the State
6 of Alaska has an interest, in what we are doing
7 in this, in the Columbia River.

8 They have invested money with the
9 Columbia River Inter-tribal Fish Commission;
10 they have invested money with Grand County and
11 other places to make the fish runs better.
12 Because they know that you take the portion of -
13 - particularly fall chinook. It's interesting
14 to also note that you really have to look at
15 this problem on a species by species basis.
16 Spring chinook is distinctively different from
17 fall chinook which aren't listed. Steelhead
18 which have little or no commercial impacts with
19 respect to the non tribal fishery, but there are
20 some in the tribal fishery. And the Sockeye
21 fishery in the Columbia River, I mean, it's --
22 there is some tribal impacts, but you asked a

1 question, can -- is there such a thing as a wild
2 fish anymore.

3 We have a run of sockeye that go all
4 the way up to Columbia, all the way up the
5 Panache through Lake Panache and into two sub
6 tributaries, the sub basins of the Panache, Lake
7 Panache and there are about 30-40,000 fish a
8 year. There have never been a fish planted on
9 them. Sockeye are not a hatchery responded
10 fish. There is some success but very limited.

11 In your District, the John Day River is
12 probably one of the best kept secrets in the
13 North West, never had a fish planted in it. We
14 have got successful steelhead, some, spring
15 chinooks, some fall chinooks, not harvestable
16 numbers in the river, but there it is.

17 SPEAKER: But you can't tell me for
18 sure, that some hatchery fish didn't take a ride
19 and go up the John Day, between 1877 and today,
20 can you?

21 MR. CASSIDY: You -- I can't. Pete
22 might be able to argue that through, but --

1 SPEAKER: I don't think any body can
2 with the straight face.

3 MR. CASSIDY: There is some wandering
4 and there is some combing, and if you look at
5 that, the colonization of these fish, one must
6 see Helen's Blue, the Tootle River and the
7 Cowlitz river, we normally get 2,500 to 3,000
8 adult steelheads in the clam a year. That year
9 they got 33,000, the reason being, they didn't
10 go up to Cowlitz, which is hatchery supported
11 system. They just came and asked everyone up.
12 But that colonization is what has kept this
13 fishery source around for a million years.
14 Because there has been other traumatic events
15 too, that have been damaging to fish. Natural
16 events, so it's betwixt and between.

17 MR. BAIRD: All your testimonies have
18 been most helpful, thank you.

19 SPEAKER: Thanks, Greg. Just a couple
20 of quick questions. Les Hutton, (phonetic) and
21 Steve, you heard me ask me earlier to the folks
22 from the Oregon Fish and Wildlife and to Bob

1 Lohn, how do we know what the level of harvest
2 is especially on the commercial harvest fleet?
3 Les, do you have observers from Washington Fish
4 and Wildlife or from Oregon Fish and Wildlife on
5 your boats?

6 MR. CLARK: Yes, we do. We have
7 welcomed him on our boats; especially my boat is
8 always open for all observers. Anybody that
9 would like to go out to see how it was. I've
10 had people, that was the Governor's aide from
11 Idaho come down and I took him out fishing and
12 showed him how everything worked. We perfected
13 the 9-inch net that let the steelhead go
14 through, while we still harvested large mature
15 salmon that were harvestable. And, I got to say
16 one thing about the resource that it is very
17 versatile, and if it wasn't, it would have been
18 gone a long time ago.

19 That shows you how much they can really
20 stand, but it has to have the right things.
21 Back, about '52 or '53, we had a spring run of
22 chinook salmon that went over Bonneville dam

1 with 12,000 escalates. Everybody said it is a
2 total crash. We are going to lose the whole
3 spring run. But in those days, we didn't have
4 very many dams. We didn't have very much
5 pollution, and we had good freshets. We had
6 water. And when the return of that came back,
7 we had a run of 250,000. That run of fish, of
8 12,000 fish, was mainly five-year old fish which
9 had big strong eggs and big egg count per adult,
10 with good survival and that's what it can
11 produce.

12 But if you put it on the spawning
13 grounds, you have got to have the conditions and
14 you got to take care of them, till get they get
15 back out. Needs water and needs focus. And I -
16 - the industry will step to the plate at
17 anytime, to take on any problem, whether it is
18 big or small, whether we win or loose. But we
19 will be there to work with the problem.

20 SPEAKER: Thanks. Steve.

21 MR. WRIGHT: Yes. Congressmen, every
22 morning after we have a fishery, where we have

1 fish received, I'm providing coffee and
2 doughnuts to the fish checkers at my plant.
3 Everyday we have people in there checking for
4 coded wire tags, doing scale samples. Every
5 fishery we have -- and I'm a pretty
6 representative processor of fish throughout the
7 system where it is caught. So I believe they
8 are doing a very capable job of doing research
9 and the sampling that they need to.

10 MR. BAIRD: Les, what percentage of
11 your harvest is done by tangle nets, now?

12 MR. CLARK: That's kind of a hard
13 question, probably 50 percent --

14 MR. BAIRD: I know it varies with the
15 runs.

16 MR. CLARK: Yeah, probably 50 percent
17 of the harvest that we catch, which is very
18 small overall of the spring salmon, would be
19 tangle nets. I think the tangle net has a lot
20 of promise. I don't think the tangle net
21 situation really got off of the ground, which
22 should have. I don't think we put enough

1 emphasis --

2 MR. BAIRD: Why is that? Can you tell
3 us why it didn't get off the ground?

4 MR. CLARK: Well, I -- being a full-
5 time fisherman and everything, I don't think we
6 had the right effort to start with. I don't
7 think we put enough in to it. I don't think it
8 got the right chance to produce the results that
9 I thought it could produce. I thought we needed
10 more work on it and at times we ran out of
11 money. We ran out of help. We ran out of the
12 biologists that had other things to do. And I
13 have always felt as a fisherman, that we never
14 put the amount that needed to be put in to it.
15 I think there is a lot more that could be got
16 out of it. And definitely it has pluses, in
17 lots of places and it would definitely show that
18 there are certain places that we might not be
19 able to use it.

20 SPEAKER: Who runs it? Just out of
21 curiosity, was it Oregon or the, who runs the
22 tangle net program?

1 SPEAKER: Both states, WFW, ODF and W.
2 The recommendation for the funding comes through
3 the Power Council and Bonneville put up the
4 initial purchase for the nets. As Les
5 mentioned, the first year, I think, we went to
6 five and a quarter inch and it was probably the
7 wrong size and so the next year we had to
8 literally repurchase the system to make it work
9 right. And that's when the 22,000 steelhead
10 showed up in March. And, everybody said "Where
11 did they come from?" And here is this super
12 wild run of steelhead and for virtually all the
13 while they were in this system.

14 To maximize the release of those, we
15 had to go to a smaller mesh which meant
16 repurchasing. It got expensive. We are always
17 looking at tight budgets and it began to drift
18 off. But there is still for spring chinook,
19 quite a bit use of it, as I understand.

20 MR. BAIRD: Is that mandatory, Les?

21 MR. CLARK: Pardon.

22 MR. BAIRD: Is it mandatory? Do you

1 have to do it? Is it required?

2 MR. CLARK: At times, yes, it is
3 mandatory program. When they -- they would set
4 a certain amount with certain size meshes and
5 then when they have the -- what they figure the
6 species that are available going to be to the
7 fishery that they don't want caught, then the
8 tangle nets go in and that is monitored very
9 strenuously on all --

10 SPEAKER: I have been told that --

11 SPEAKER: Can I just clear on this one
12 point? If we ever got to a situation where it
13 was, you got to use tangle nets or you can't
14 fish, I think tangle nets would work, don't you?

15 MR. CLARK: I think so. I don't -- I
16 wouldn't say that they will work on everything,
17 everywhere but to a large extent, they will
18 work. And there is a lot more that we can
19 perfect with them.

20 MR. BAIRD: I'm told Les, related to
21 that, there have been some substantial changes
22 in how long you are allowed to drift. The drift

1 times are down to 45 minutes or so and that that
2 combined with tangle nets, combined with
3 recovery boxes can substantially reduce the
4 mortality, of the -- by catch of the --

5 MR. CLARK: The whole trick to it is
6 the time that the net is in the water, so that
7 the fish get in the net, they are not in the net
8 very long, and get all tired out. That you,
9 from the time that they are first cork went into
10 the water to start laying out the net, there is
11 a time the whole net had to be back in the boat
12 was 45 minutes, so the actual drift time is very
13 short. But to retrieve the fish out of the net,
14 while they are still in very good condition, not
15 all tired out, and the ones that you want to
16 keep, you keep and the ones that need to go
17 back, if they don't need to be put in the
18 recovery box, they are in very good condition,
19 can be released immediately.

20 And the ones that doesn't look like he
21 needs to released right now, go into the
22 recovery box until he is in good shape, and you

1 keep watching, and that brings him back really
2 great. I've had fish that totally jump out of
3 it, overboard.

4 MR. BAIRD: How much of that harvest is
5 done in that fashion?

6 SPEAKER: Or recovery?

7 SPEAKER: Or did you have to jump in
8 after him, by the way?

9 MR. CLARK: The spring run has been the
10 main emphasis of it, so far. It could, on any
11 small fish -- when we're the -- the tangle nets
12 works the best on large fish.

13 MR. BAIRD: The big chinook, that they
14 call it.

15 MR. CLARK: Yeah, the big chinook. And
16 when you get into the smaller fish, then the
17 smaller the fish are, the more it fits the mesh
18 and you want to keep away from the gilling or
19 the bleeding or the scaling.

20 SPEAKER: Is anybody using the reef
21 nets at all, on the Columbia?

22 SPEAKER: There have never been any

1 reef nets used on the Columbia River. That's a
2 Puget Sound concept.

3 MR. BAIRD: Any questions coming from -
4 - thank you very much, gentlemen.

5 SPEAKER: Steve wanted to say
6 something.

7 MR. WRIGHT: Well, I would echo some of
8 Les' comments, real briefly. The tangle net is
9 a very good tool to use to harvest selectively,
10 in parts of the year. Where you have a problem
11 with it is, it is not test proven to be a
12 successful tool so much in the fall run, such as
13 when we have an up-river, bright, healthy stock,
14 maybe you'll have 200,000 fish that you actually
15 want to focus or harvest on, a portion of those.

16 And, those are a wild stock fish; it's
17 a very important segment of our industry and
18 should be harvested because there are surpluses.
19 So it is a tool, it's not a overall solution. I
20 think Les would agree to that. There are times
21 of the year, where there is a lot of other
22 species such as shad in the river, where it

1 would be very difficult to implement because the
2 shad are small and it would fill the net up with
3 shad, when you are trying to retrieve it in a
4 short fashion. That's an important distinction.

5 MR. BAIRD: Thank you very much, Steve.
6 Before we conclude, Rod I want to compliment
7 you. You acknowledged something that we haven't
8 mentioned enough. We have talked a lot about
9 the differed costs of power generation and I
10 know Larry mentioned that a little bit. When I
11 look at the overall cost to the region, it is
12 not just power. We have asked family of
13 foresters to set aside 100 foots stream buffers
14 on each side of the streams. We have asked
15 farmers to substantially curtail there
16 activities.

17 Our communities are engaging in lengthy
18 and extraordinarily expensive direct expense,
19 cost for permitting almost anything you want to
20 do and that all, has to fit factor in, I think,
21 to the overall economic cost of this. So that
22 when we are looking at this picture, part of

1 what I think motivates Congressman Dicks, Walden
2 and myself is, it is not just a direct cost to
3 repair hatchery or restore a source of habitat,
4 it is that overall cost to the region which is -
5 - it really gets pretty substantial, at some
6 point.

7 Let's take about a 10-minute break and
8 we will convene in with the final panel and I
9 appreciate everyone comments and patience.

10 (RECESS)

11 MR. BAIRD: -- that organization, I
12 understand, North West River Partners will be
13 represented by Terry Flores and the Native Fish
14 Society will be Bill Bakke. Thank you all for
15 being here. Mr. Loomis, I know well the work
16 that Fish First has done on restoration and here
17 and it's a privilege to have you here. And we
18 look forward to your comments.

19 MR. LOOMIS: Well, thank you, Mr.
20 Congressman and thanks to the rest of you for
21 having this meeting. I think this is probably
22 the beginning of recovery. I'm real happy with

1 the meeting. First of all, I want to make a
2 couple of statements that I am for harvest, but
3 I am for only selective harvest. So when I yell
4 about harvest, it is really the selective
5 harvest that I'm talking about. Anyway, I'm the
6 President of Fish First. I'm going to read most
7 of this because, my first one was five hours
8 long and most of you guy know I don't have any -
9 - I have trouble with five minutes and I do five
10 hours, so I'll go ahead and read --

11 MR. BAIRD: So do the members of the
12 Congress, Gary, so -- occupational hazard.

13 MR. LOOMIS: Anyway, we started in
14 1995. And we have 600 members. In 1992, was
15 the worst year that I had ever seen in the Lewis
16 area. I came here in 1964. We started Fish
17 First in 1995, and we wanted to do 50 percent of
18 the work for the hatchery fish and 50 percent of
19 the work for the native fish, so that we could
20 find out really what the problem was why it was
21 in such a bad, bad area.

22 So, we really ended up having to

1 partner with Fish and Wildlife. And the first
2 things that they let us do was Net pens, spring
3 chinook, summer steelhead, so we kind of
4 relieved the ponds when the fish got bigger, so
5 we really did get rid of some of the diseases,
6 that we had in the spring chinook prior to this
7 and it worked real good and I think it's still
8 working.

9 We have like, 16 net pens now, doing
10 this. The other thing that they let us do was
11 egg boxes on the Cedar Creeks, tributary to the
12 north fork of the Lewis. We asked them that we
13 would like to have this creek and they ask us
14 why, and I said because it is the only natural
15 running river that we have left on the north
16 fork. We have a dam on it; you forgot to put
17 ladders over it.

18 So, they said, "Well, you know, it's
19 too warm, has too much fecal chloroform. Also,
20 it is only got 32 silvers left in the river."
21 And I said, "Well, it kind of looks like there
22 is nothing we can do to hurt it, so how about us

1 having it?" and they said, "Yes." And so, with
2 a lot of work from Fish First and some of the
3 other members from some of the other clubs, many
4 a fly fishermen and a few of those, I think we
5 have proven the problem on this river was
6 nutrients. We have no fish coming back to
7 spawn, they deposit no nutrients and so, now we
8 have cleaned up a few of the diaries. We have
9 cleaned up some of the other things and ten
10 years later now; we have 15,000 native returning
11 silver salmon.

12 MR. BAIRD: From 36 original?

13 MR. LOOMIS: Thirty-two.

14 SPEAKER: Thirty-two.

15 MR. LOOMIS: So, I think we have proven
16 that with nutrients we can recover these fish.
17 Now I'm not saying a lot of the habitat cannot
18 be improved. Yes, it can be. But I'm telling
19 you that the big problem is the nutrients. If
20 you don't feed the fish, they won't make it.
21 And we found cricks that we had run, the egg
22 boxes, the 10,000 egg boxes in for five years.

1 We got back seven to 15.

2 We started putting nutrients with no
3 other in-stream restoration, with just the
4 nutrients we got back 250 to 450. So, it really
5 looks like that. The problem -harvest. You
6 know, I have heard them say, over the years that
7 I have been in this, any fish returning to the
8 river is a waste. We can grow all the fish that
9 mankind will ever need in out hatcheries.
10 Harvest isn't the problem.

11 Well, I think, if any of those things
12 were right, we wouldn't be here, today. I mean,
13 we are here today because this is going the
14 wrong way not the right way. We need to start
15 attacking what the real problem is or we are not
16 going to come up with the problem.

17 Think about this, think about this.
18 For a 130 years, we have had commercial
19 harvesting native salmon on the Columbia River.
20 In 18 years, we killed of 70 percent of the
21 largest chinook run in the entire world. The
22 spring chinook run of the Columbia River. This

1 is before automobiles. This is before
2 combustible engines. This is before logging.
3 This is before any of the other things we have
4 been complaining about what the problem is.

5 It was absolutely harvest. Since then,
6 we put in a 100 salmon hatcheries and continued
7 harvesting the hatchery and the native fish side
8 by side for another 112 years. We have put in
9 millions and millions of these hatchery fish in
10 every year. But we have done really nothing but
11 harvest. We still, today, have no selective
12 harvest practice. I mean, we talk a little bit
13 about the tangle nets, which I think is a great
14 start. But we still have no selective harvest.

15 Without the native fish getting back
16 upon to their spawning beds, and do what they
17 do, only one time in their life cycle, we are
18 not going to have recovery. This recovery is
19 not about hatchery fish. This recovery is about
20 native fish back to the river. And, Mr. Walden
21 had said a couple of things you know about that,
22 "How do we know that they are not hatchery

1 fish?" You know, I think genetically the native
2 fish is really the fish that is programmed for a
3 million years to spawn back in the river that
4 they came from. Very, very important.

5 Now, in some of our hatchery practices,
6 we have been putting them all over the
7 watershed, terrible, we are absolutely
8 incorrect. But the thing is I would rather have
9 wild fish that strays and goes backs and spawns
10 more than a hatchery fish that just goes back to
11 the river. So, I'll take wild fish rather have
12 a native fish, but we don't know how long it
13 will take to revolve these hatchery fish, into
14 going to a wild fish, into somewhat being a
15 native fish, I don't think they have ever
16 studied that.

17 MR. BAIRD: Gary, I'm getting the one
18 minute sign. I'm actually -- I got the one
19 minute sign, a while ago.

20 MR. LOOMIS: Okay, let's go past that
21 and let me just bring up the last one which is
22 again, still harvest. You know, last March I

1 went up to Olympia, and fought harvest when they
2 wanted to increase the kill rate on the native,
3 listed steelhead of the lower Columbia River.
4 They wanted to raise that kill from two percent
5 to six percent, so that they could harvest more
6 salmon. Their exact words were, "We do not
7 believe that the incidental kill from two to six
8 percent will anymore likely make these fish go
9 extinct." They didn't say slow the recovery,
10 they said extinct.

11 And tomorrow, I get to come back here
12 at 6:00 o'clock and fight it again. They still
13 want to kill more than 80 fish, so that they can
14 harvest without a selective harvest on salmon.
15 Thank you very much.

16 MR. BAIRD: Thank you very much, Gary.
17 Tomorrow in this same room?

18 MR. LOOMIS: I think so.

19 MR. BAIRD: Is that right?

20 MR. LOOMIS: Yes, sir.

21 MR. BAIRD: Next is Trey.

22 MR. CARSKADON: Thank you, Congressman.

1 I appreciate this very much. My name is Trey
2 Carskadon, I'm President of the Northwest Sport
3 Fishing Industry Association. I'm also the
4 Chairman of the Oregon State Marine Board and
5 through my business, which is a marketing
6 agency, I represent a collection of boat
7 manufactures, boat dealers, tackle companies and
8 trade associations. I've made my fulltime
9 living in the Northwest Sport Fishing Industry
10 for the last 22 years.

11 I have been working in this industry
12 for nearly 30 years. First, thank you for your
13 interest in the success of Northwest salmon and
14 steelhead. We, the members of the NSIA
15 genuinely appreciate your consideration of this
16 complex and often contentious issue, and we pray
17 that these meetings will generate the results we
18 need to recover and enhance these prized
19 migratory fish stock.

20 I was 14 years old when Columbia salmon
21 was closed for fishing, and sweeping
22 regulations were initiated that effectively

1 closed the Columbia River to the direct intake
2 of spring and summer salmon. For the past 33
3 years, I have fished under a cloud of
4 regulation, a cloud that has had few bright
5 spots.

6 Recently, thanks to mass marking and
7 selective fishing, a few fisheries have been
8 partially reopened and reminded us all, across
9 this region, what the promise of these fish
10 bring to all the stake holder groups, and the
11 communities that benefit when salmon and
12 steelhead return to our rivers. You will find
13 few here, today, who will disagree with us on
14 how to fix these runs. But one is for sure,
15 there are untold benefits to the return of these
16 fish and we have just seen a glimmer of it,
17 these past few years.

18 In the late 90s, juvenile salmon and
19 steelhead were helped to the ocean with flow and
20 spill over the dams with the payoff in 2001 of
21 the adult returns that provided a glimpse of the
22 enormous benefits these salmon bring when they

1 return to the Columbia.

2 The state of Idaho, commissioned a
3 study that documented an economic benefit of
4 over \$90 million back to the state, in little
5 more than five weeks to sport fishing. Remember
6 Idaho is on the far end of this run of spring
7 chinook and some 400 miles from the ocean and
8 yet people from around the region showed en
9 masse and enjoyed the bounty that had
10 miraculously arrived from the ocean.

11 Anecdotally, we believe that the same run is
12 worth in excess of a \$100 million to the region
13 below Bonneville dam where the lion share of the
14 fishing occurs on that one run of spring salmon.

15 I see the benefits, of robust runs
16 first hand in Medford, Oregon. Boat builders
17 put people to work as their numbers swell. In
18 towns, from Sequim to Brookings, Riggins to
19 Astoria, Aberdeen, Seattle, Portland and Eastern
20 Washington, real economic benefit is generated
21 through tourist dollars that spill into
22 restaurants, convenient stores, motels and

1 thousands upon thousands of retail operations.
2 Sport fishing isn't just a hobby; it is an
3 industry that generates billions of dollars of
4 benefit to this region, each year. Here, is a
5 thumbnail sketch of what Northwest Sport Fishing
6 Industry delivers to this region.

7 Thirty-six thousand five hundred jobs,
8 \$3.6 billion of economic benefit, \$137 billion
9 to Oregon, Washington and Idaho in state tax.
10 More than a \$131 million in federal tax and
11 nearly 1.9 million fishing license sales across
12 the Northwest. In 2001, we learnt the benefit
13 of spilling water over Columbia River dams; the
14 result was the historic high returns of salmon.
15 We were told by the hydro producers that those
16 returns and similarly high returns in 2002. And
17 2003, was the product of great ocean conditions.

18 It was like we haven't seen great ocean
19 conditions since 1938, when the dams were put
20 in. We are in the fight of our lives right now;
21 we have to fight for what has been promised to
22 us through long standing Federal Acts like the

1 Mitchell Act, and mitigation from enormous
2 government infrastructures like the Bonneville
3 Power Administration and at the state level on
4 how these runs of fish should be protected,
5 provided for and allocated. We're frankly an
6 easy target because we're underground
7 politically, financially, and organizationally.
8 We hope you and your colleagues can connect the
9 dots and support the success of these fish runs,
10 because the promise they hold is real and it's
11 compelling.

12 Thanks to Congressman Dickson's
13 assistance in getting northwest salmon marked.
14 We can now distinguish between a hatchery red
15 salmon, or a steelhead and a wild fish. This
16 allows our community to selectively harvest our
17 fish and protect wild runs, and salmon and
18 steelhead something we passionately support.
19 Without selective fisheries, we would be shut
20 down on most fisheries around the west. Again
21 Congressman Dicks, thank you; because of you
22 restaurants, hotels and dozens of rural and

1 coastal communities, boat builders, tackle
2 manufacturers, guides, sporting goods stores and
3 a litany of other commerce has a story to tell,
4 and benefits that had been shared by all the
5 companies, they do business with us as well.

6 SPEAKER: Trey, I'm getting the 30
7 seconds time again.

8 SPEAKER: I have got about 30 seconds
9 of Congressman.

10 (Laughter)

11 SPEAKER: I yield an additional five
12 minutes for the accolades to --

13 (Laughter)

14 SPEAKER: Thank you Congressman. Well,
15 the northwest sport fishing industry brings this
16 equation, is the low hanging economic fruit that
17 shared across the region when salmon and
18 steelhead returned to meaningful numbers. Go to
19 Astoria in mid-August and witness the thousands
20 of anglers, everyday they are on the water from
21 the bridge downstream. Go to Bonneville dam in
22 April and see thousands more doing the same

1 thing. These stories are repeated over and over
2 again from every corner of this region.

3 Imagine what would be gained with
4 stabilizing and recovering these runs to the
5 point that they were certain and robust. The
6 tuna stores that are shipped to Canada and
7 Alaska each summer would stay here. A place
8 that offers more diversity, a better overall
9 fishing experience and a better value to the
10 consumer. Sport fishing means business, and
11 we're anxious to be part of the solution, and
12 the promise that these returning fish bring to
13 the northwest and we'll surely deliver, I very
14 much appreciate this. Thank you Congressman.

15 SPEAKER: Thank you, Trey. I know it's
16 so difficult, you know, that asking people all
17 of you here who're here today spent your entire
18 lives on this issue and to try to condense it to
19 five minutes is impossible for you and us, but
20 that's why the written testimony is so
21 important, and we appreciate your understanding
22 of that. Thank you very much.

1 SPEAKER: Thank you.

2 SPEAKER: Trey, you had a novel
3 approach to the five minute, you just spoke
4 twice as fast as everyone, so that worked pretty
5 well though I think. Bill Bakke with the native
6 -- sorry, I skip, Terry Flores will speak first,
7 sorry, from Northwest River Partners, and then
8 we'll finish with Bill.

9 MS. FLORES: Thank you Congressman.
10 For a moment there, I thought I was going to
11 have the last word, but I guess that will be
12 left to Bill.

13 SPEAKER: That will be left to Norm
14 Dicks.

15 (Laughter)

16 MS. FLORES: As it should. Anyway
17 thank you for inviting northwest river partners
18 here today. I'm Terry Flores, the director.
19 And since we're a relatively young organization
20 let me just take a moment to describe us to you.
21 We have over 100 members and I'm glad to say
22 we're growing. We're a partnership of farmers,

1 electric utilities, large and small businesses,
2 agricultural interests and river users, all in
3 the Pacific Northwest. We're a non-profit, non-
4 partisan coalition of all of these diverse
5 interests.

6 And while we often have disparate views
7 on a number of regional issues we have joined
8 together to have a single focus voice. Excuse
9 me, in salmon recovery issues affecting the
10 region's economy, and in particular, we are
11 focused on hydro and river operations and salmon
12 recovery costs. So that's who we are.

13 We believe that the Columbian Snake
14 Rivers must remain living working rivers
15 providing multiple benefits. Clean and
16 affordable electricity, irrigation for
17 farmlands, healthy fish and wildlife, maritime
18 trade and a multitude of recreational
19 opportunities. We believe that the northwest
20 salmon runs can prosper without sacrificing the
21 northwest quality and way of life. For this to
22 happen; however, salmon recovery efforts must

1 rely on sound science, and recognize that there
2 are many things other than the dams including
3 ocean conditions, habitat and of course,
4 harvest, that affects salmon in their life
5 cycle.

6 We appreciate your leadership in
7 sponsoring this hearing, and I would say it is
8 already helping to shed some light on the
9 critical need for more comprehensive approach to
10 salmon recovery than we have seen in the region
11 to date. To date much of the region's focus has
12 been on the hydro dams and operations. Dams and
13 river operations provide an obvious and easy
14 target and clearly affect salmon recovery. You
15 have no argument there. That part of the salmon
16 recovery equation though we think is being
17 addressed. I want to digress for just a moment
18 and speak to something that I heard and you
19 heard this morning.

20 You heard that juvenile mortality
21 through the dams is around 80 percent. And I
22 just want to raise that because I'm finding that

1 a little bit difficult to accept. My
2 understanding is that that number or that
3 percentage came from one stock which is the fall
4 chinook, a one-year look and worst case look at
5 that. What I do know is that over 90 percent of
6 the salmon are barged with a 98 percent survival
7 rate. And that comes out of the biological
8 opinion.

9 So I'm glad you asked to see some of
10 that information in my organization, we would be
11 very happy to take a look at it as well. So as
12 you heard this morning Northwest families and
13 businesses are funding the world's most
14 expensive salmon recovery effort. They are
15 currently spending more than 700 million each
16 year on recovery efforts through Bonneville
17 programs and changes in river operations.
18 Nearly one third of Bonneville's cost of
19 producing energy currently go towards salmon
20 recovery efforts. And they are directly passed
21 on in customer rates, and of course this can be
22 quite a hardship for those that are on limited

1 incomes.

2 If the region is truly serious about
3 recovery need, recovery plans and goals that
4 fully embrace all the H's among other things,
5 this means the region must begin to take a more
6 common sense approach to harvest. I also am
7 going to speak to spill as an example. The
8 additional spill ordered by the court this
9 summer cost nearly \$75 million, and that's on
10 top of a baseline spill program of 80 million to
11 benefit Snake River fall chinook run that is
12 harvested at a 45 percent rate. It doesn't take
13 a scientist to conclude that this is irrational.

14 And that no matter the effort made in
15 the other H's, salmon will simply not recover at
16 such high harvest rates. Northwest River
17 Partners is not interested in putting the
18 fishing industry out of business nor are we
19 interested in becoming embroiled in the debates
20 of a commercial versus sport fishing versus
21 tribal harvesting. We do think improvements can
22 occur in the industry that will allow for the

1 continued harvesting of salmon, and we do know
2 that harvest reforms must be enacted.
3 Endangered fish simply will not recover while
4 they are continuing to be caught at today's high
5 harvest rates.

6 SPEAKER: Terry, I'm getting the 30
7 seconds time once again.

8 MS. FLORES: Okay, in closing then
9 harvest must be integrated into salmon recovery
10 planning, and without such integration our \$700
11 million salmon recovery program paid for by
12 Northwest utility customers, businesses and
13 river users will be wasted. And the regional
14 economy overall negatively affected to no real
15 purpose. So thank you very much again for the
16 opportunity to talk to you today.

17 SPEAKER: Terry, thank you very much.
18 Bill?

19 MR. BAKKE: Yes, thank you very much
20 for the invitation and I really appreciate the
21 fact that you're dealing with the harvest
22 question. This question as you've seen today

1 can lead to some confusion. I will join you in
2 that confusion, because I have been trying to
3 make sense of it for a number of years. But let
4 me launch off into my five-minute dissertation
5 here which may or may not meet the deadline, but
6 I'm going to try.

7 Salmon are locally adapted, and we have
8 known this since 1850 -- 1854 which predates the
9 1877 hatchery that Congressman Walden was
10 mentioning. Therefore the scientific and
11 practical basis for managing salmon and
12 steelhead is to make sure that there are enough
13 spawners to fully see the habitat of their natal
14 streams and of course we also want to protect
15 the habitats that there -- we can actually
16 increase this supply of naturally produced fish.

17 We also impart nutrients. Gary's made
18 a very good point about that, that enrich the
19 streams for juvenile production. There's a lot
20 of science that supports that, lot of
21 experiments. They also maintain the genetic
22 integrity of the population, so that they can

1 continue to adapt change in environments. These
2 environments fluctuate annually, they fluctuate
3 over large periods of time like when Mount St.
4 Helens blew up, and caused such problems for the
5 Turtle River, but we never lost our steelhead
6 run in the Turtle River. This habitat was still
7 available.

8 Taking together the salmon help support
9 productive rivers and provide ecological
10 services to societies, some of those services of
11 course are harvested fish. The purpose of
12 harvest; you need to look at the harvest in two
13 ways. The purpose of harvest is to provide the
14 public, market with salmon, and also to deliver
15 the adults to their home streams, spawning
16 grounds in good condition. That is also a
17 necessary purpose of harvest, and I think it's
18 been largely overlooked.

19 The problem to be solved is this,
20 harvest must be managed so that it does not
21 impede the recovery of ESA-listed salmon and
22 steelhead populations, or the productivity of

1 those populations that could become endangered,
2 not all of them are listed yet. Transforming
3 mixed stock fisheries to harvest in a selective
4 manner is one of the greater challenges that
5 we're faced with. In order to allow mixed stock
6 fisheries to happen, I commend Congressman Dicks
7 for the whole idea of marking all the releases
8 of hatchery fish, because really production and
9 harvest are two sides of the same coin. And if
10 we don't -- we can't recognize the hatchery fish
11 and mixed stock fisheries that we're conducting,
12 the way we're conducting them now or on the
13 spawning grounds you really do have an
14 unmanageable situation both at the production
15 side as well as in the harvest side.

16 Harvest of ESA-listed salmon is
17 illegal, fisheries cannot target fish protected
18 by the Endangered Species Act, no directed
19 fisheries are allowed, but we are doing that
20 anyway, ten-mile lake on the Oregon coast, we're
21 allowed -- Oregon allowed the directed fishery
22 on threatened coho, because they are in a

1 healthy condition. But fisheries are managed to
2 target hatchery fish, okay, allowing an
3 incidental kill of ESA-listed fish. What is not
4 known is whether this incidental take is too
5 high to support recovery of listed fish.

6 Now, I have asked the National Marine
7 Fishery Service to provide us with an
8 accounting. What is the impact of harvest on
9 each of the issues and the component wild
10 populations that we are trying to recover? They
11 said that's important information that should be
12 collected, we don't have the time or funding to
13 do it, okay.

14 So if we're going to rationalize
15 harvest to make sure that it is actually
16 supporting recovery of ESA-listed fish and isn't
17 driving others wild populations to the point
18 where we have to list them, then we should be
19 doing the monitoring that Pete Knutsen said
20 earlier with the Power Planning Council. The
21 ISAB said that the monitoring isn't sufficient,
22 we aren't collecting the data, the program is

1 not rational, okay.

2 SPEAKER: We're getting to 30 seconds
3 now --

4 MR. BAKKE: Okay, harvest management
5 cannot be in conflict with the good works of the
6 public to recover salmon, nor being conflict
7 with federal law to recover ESA salmon. And I
8 would like to make a couple of recommendations,
9 there are six of them, I think I'd get through
10 them in time.

11 One is, mark all hatchery salmons so
12 they can be identified in the harvest and in the
13 streams when they stray; two, fund selective
14 harvest experiments and technologies to control
15 the incidental bycatch of naturally produced
16 salmon; three, require harvest accounting to
17 determine where the harvest is impeding
18 recovery; reinforce the law it is illegal to
19 kill ESA salmon; and make sure that harvest is
20 supporting public investments and salmon habitat
21 reconstruction; and require the agencies to
22 establish spawner abundance objectives for each

1 species and river, and to document annually the
2 results to the public. Thank you.

3 SPEAKER: Thank you very much. I thank
4 the panelists for insightful information.
5 Congressman Dicks?

6 MR. DICKS: Well, I appreciate the
7 testimony and, you know, my view of this is
8 that, you know, now that we're close to having
9 all the hatchery fish marked in. When we did
10 this it was not because we were necessarily
11 thinking about a selective harvest at first. We
12 were thinking about the hatchery scientific
13 review group which had come in with its
14 recommendations and they said that the most
15 important thing you could -- one of the most
16 important things you could do was to mass mark
17 these hatchery fish so as you suggested, a
18 number of you, you can distinguish between them
19 and the rivers, and -- but you have to do the
20 monitoring and assessment.

21 The tribes have pointed that out to me.
22 So normally if you want to do this, you want to

1 move forward with this we have to then have the
2 resources to monitor and assess what's actually
3 happening in these rivers with the hatchery fish
4 and wild fish, so that's one point. The other
5 point is the idea of a selective harvest and
6 being able to distinguish between the hatchery
7 fish and the wild fish, because you have the
8 adipose fin clip.

9 And to me this is -- we can now, now
10 that we've got the fish basically marked we
11 should now move to a selective harvest. But
12 that's going to mean an adjustment to a lot of
13 different groups. I thought the discussion here
14 this morning about the tangle net was refreshing
15 in that that -- it sounds like this could be
16 used. The only reason that isn't being used is
17 because we haven't put enough resources into it,
18 and we got dizzy on that. And that's the most
19 difficult problem is moving away from the
20 gillnets. Now, the question is, well, does it
21 make a difference? Well, to me it's just --
22 it's almost illogical to think that after you

1 have done all this work to get this fish right
2 back, almost ready to spawn, you're going to
3 kill them, the ones that are listed, and we
4 don't have to do that.

5 A few years ago, three years ago,
6 before the mass marking started you had no way
7 to distinguish, so you didn't know whether it
8 was hatchery fish or a wild fish. So to me, I
9 think, we should focus in now on moving to a
10 selective harvest, and doing the mass marking so
11 that you can distinguish, and then fish, the
12 hatchery fish, and let the wild fish recover and
13 mentioned as -- and mentioned here, biodiversity
14 as crucially important. Preserving the
15 difference in these species, the genetic
16 differences, is from a biological important --
17 very important.

18 So I commend all of you for your
19 testimony and the work you're doing in your
20 various groups. Gary, I -- that recovery effort
21 down there is remarkable. We have seen that,
22 you know we've put the money into the salmon

1 recovery fund and were doing these projects all
2 over the state, all over the Northwest and they
3 are working. And that yours is a classic
4 example --

5 MR. LOOMIS: And it will work.

6 MR. DICKS: It will work, but I think
7 as you have heard the testimony earlier this
8 morning, I think this -- the case for taking
9 these endangered -- threatened, endangered
10 species is very weak. And if ever tested I
11 don't think it would hold up, frankly. So I
12 think we're going to be moving in this direction
13 to deal with this problem.

14 MR. BAIRD: Thank you, Norm.

15 MR. DICKS: Thank you.

16 MR. BAIRD: Gary?

17 MR. WALDEN: Gary, I want to go to you,
18 in your testimony, when you're talking about --
19 I think about harvest you say, but tell me why
20 the fish have disappeared to the same rate over
21 the last 75 years on rivers with dams and rivers
22 without dams. Can you talk a little bit more

1 about that?

2 MR. LOOMIS: Yeah, you know, you when
3 you have your meeting tomorrow, you're going to
4 go up to Tacoma, and there it will be habitat.
5 You're going to blame something else besides
6 harvest, because they don't have very many dams
7 at there. We have dams down here but you can
8 take a look at the rivers without dams, East
9 Fork of the Lewis River, the Kalama and the rest
10 of the rivers, coastal and in the Columbia
11 River. They all declined the same place in the
12 last 75 years. It wasn't just the ones with
13 dams, now I will agree the ones with dams with
14 no ladder on them --

15 MR. WALDEN: That's a problem.

16 MR. LOOMIS: Done gone. But the rest
17 of them declined the same way, so all I'm saying
18 is if you keep working on the spotted tail
19 squirrel you will never recover the salmon.
20 You'd better work on what the problem is, and it
21 is harvest.

22 MR. WALDEN: Anybody disagree with

1 that, in terms of the numbers, Bill?

2 MR. BAKKE: Well, I think that's
3 largely true. The dams, if you remove the Snake
4 River dams, you wouldn't solve the salmon
5 problem. You wouldn't get them de-listed
6 because you're still faced, of all the problems
7 -- a lot of the problems that you're faced with
8 on the coast.

9 MR. WALDEN: Okay. Trey?

10 MR. CARSKADON: Thank you. We
11 manipulated one element. There's only certain
12 things that we can control. We can't control
13 ocean conditions, we can certainly control
14 harvest as been discussed, but when we tweak the
15 flow and spill, and we did it for a couple of
16 years, the return it seemed like causality was
17 there and it was pretty dramatic. We had
18 historic highs since the dams were put in. They
19 knew the dams would have an impact when they put
20 Bonneville in, in 1938, that's why they had the
21 Mitchell Act.

22 And that's why they mitigated for these

1 fish, they recognized what was going to happen,
2 way back then and we're seeing the same thing
3 today. I agree with everybody here. It's not
4 one thing. But that is one thing that we can
5 control and it seemed to have had a very
6 positive impact on the return of these fish.

7 MR. WALDEN: We're -- yeah, Gary.

8 MR. LOOMIS: I'm not telling you dams
9 are not a problem.

10 MR. WALDEN: Of course not.

11 MR. LOOMIS: They are a problem, but
12 you got to remember and like he said with the
13 flow we can control the things. Look what they
14 have done just on the escapement of down river
15 smoke and all of this. We can do something and
16 live with the dams. We can't do anything if we
17 kill that pair of native fish, just before they
18 get on their new habitat, can't do anything
19 about that. But with the biggest runs that we
20 had over the Bonneville dam, they got through
21 the dam to the ocean and they got back up
22 through the highest numbers that was ever

1 counted over the Bonneville dam.

2 SPEAKER: If I might I would like to
3 add, too, with regard to the question about
4 dams, if you have a poor ocean environment, and
5 you have drought inland affecting the spawning
6 stream, the salmon can't sustain themselves, the
7 dams then, cause extinction.

8 MR. WALDEN: Sure okay. Let me ask you
9 about nutrients because I'm intrigued by your
10 work on the -- what was on Cider Creek.

11 SPEAKER: Cider Creek, yes.

12 MR. WALDEN: Am I accurate, in my
13 understanding are we saying correctly, that
14 you're restoring nutrients basically dead fish
15 carcass -- is that I mean --

16 SPEAKER: That's what we were doing,
17 yeah.

18 MR. WALDEN: Then doesn't that speak to
19 -- if nutrients were important to habitat, and
20 restoration of fish, then isn't it logical to
21 assume more fish that come back to spawn and
22 die, are a good thing?

1 SPEAKER: You know, Mother Nature set
2 this up a million years ago that way.

3 MR. WALDEN: And, so because there are
4 some who will argue, and have to us, that we
5 can't have too many fish coming back, we don't
6 have enough habitat for them.

7 SPEAKER: The biggest harvests we've
8 ever had in this country was all native fish
9 that came back to the rivers, all native fish.
10 As soon as we killed of that run, the hatchery
11 started the decline of the harvest.

12 MR. WALDEN: And you say that it
13 started before the dams.

14 SPEAKER: Yeah. It was before the dam,
15 1887 --

16 MR. WALDEN: 70 percent.

17 SPEAKER: I think was, 1886 was the
18 highest harvest we ever had only on the spring
19 chinook run. The following year they started
20 harvesting, what they called the inferior
21 salmon, the fall chinook, the sakai, the upriver
22 brights, the steelhead, the chums, they never

1 got to the harvest rate as they did the last
2 year of the spring chinook before it collapsed.
3 And one more thing on nutrients, I was trying to
4 get the nutrient contract for next, for this
5 year, last year so that we could do this in all
6 of the streams.

7 Because I'm telling you if we don't
8 feed them we're not going to -- they are not
9 going to make it. They've got 14 months to make
10 it through, from the time they come out of the
11 gravel before they go out, and there's two huge
12 feeding cycles. Once is after they eat their
13 egg sack off and they come up out of the gravel,
14 and the next one is before they get ready to
15 smolt and go to the ocean. Without those two
16 feedings cycles -- this is why the native fish
17 has a very high success rate from salt water --
18 from fresh water to salt water and the hatchery
19 fish don't.

20 MR. WALDEN: Can -- If I ask this one
21 more question I know my time is expired, but
22 this is sort of dumb Congressman question. The

1 two fish that come back to spawn, how many will
2 they reproduce?

3 SPEAKER: Well, right now they lay
4 about five -- about 3,000 eggs.

5 MR. WALDEN: Okay, and of those 3,000
6 then?

7 SPEAKER: Right now they have a
8 probably, a very poor hatch rate, because over
9 the years we have -- they blamed the hard pact
10 of the gravel, on logging and everything else,
11 other than what it was. But what it really is,
12 is we have no salmon there that keeps turning up
13 the gravel and keeping the gravel loose. Then
14 they would have -- they would be able to dig
15 their reds as deep as they need and then get
16 much higher concentrate of eggs into the red.

17 Now, there's going to be 10 different
18 answers, but I would say it's probably somewhere
19 in the 20 to 30 percent, in excellent
20 conditions, it's probably 65 to 70 percent. But
21 let me tell you those eggs that are washed out
22 are not lost. That is part of the food

1 nutrients of the river. Those fish that were
2 last year's fish are now 10 months old. Eating
3 one of those eggs is like eating 18 bugs for
4 nutrients. This is when he's pumping himself up
5 to make that change over from fresh water to
6 salt water.

7 MR. WALDEN: So --

8 SPEAKER: In two more months, he's
9 going to be able to get to the young ones that
10 are coming up out of the gravel, he's going to
11 eat a percentage of those to really pump up and
12 get tough before he goes to the ocean. Without
13 the nutrients -- another thing, I think, our
14 Cider Creek is cooler now than it used to be
15 because we have got enough loose gravel in the
16 Creek now that the water is starting to ride the
17 sub-surface instead of up on the top and the
18 earth and everything else cools the water. So
19 our water temperatures have went down. I mean,
20 everything goes back at spawning salmon on the
21 spawning beds.

22 MR. WALDEN: All right. And is it

1 correct -- I'm sneaking in one more here -- but
2 if it's true that 45 percent of the fall chinook
3 run, and I believe Terry, you mentioned that,
4 and we have heard some range in numbers in
5 there, is harvested, is it also accurate to
6 assume that of that 45 percent, you're taking a
7 like percent of the wild fish trying to come
8 back? In other words, if there's three percent
9 wild fish, we're getting 45 percent of that
10 three percent, just a law of averages.

11 SPEAKER: Well, I think we could
12 probably -- you probably answer that better than
13 I can.

14 SPEAKER: Well, the thing is that 45
15 percent harvest rate on those fall chinook,
16 you're looking at those wild fall chinook are
17 experiencing that heavy harvest rates through
18 Canada, close to Washington and in the Columbia
19 River and that's the problem with the harvest
20 rate on those fish.

21 MR. WALDEN: But it's accurate to apply
22 that same -- if it's 45 percent of the run, and

1 the run is constituted in part with the wild
2 fish, you are talking 45 percent of what's
3 returning wild.

4 SPEAKER: Absolutely, you know --

5 MR. WALDEN: How is that considered
6 incidental?

7 SPEAKER: Well, it's not --

8 SPEAKER: It's not incidental. That's
9 what we are here for.

10 SPEAKER: Obviously, it's not.

11 SPEAKER: Another thing you got to
12 understand that a lot of them are trying to say
13 that the wild fish don't add to it. I mean,
14 after no selective harvest for 130 years, we
15 have still got 10 or 15 percent of the harvested
16 fish are native fish. These fish are tough,
17 let's give them a break.

18 MR. WALDEN: All right, thank you.

19 SPEAKER: Thank you.

20 SPEAKER: Thank you, Greg.

21 MR. WALDEN: The nutrient issue I was
22 going to mention briefly. Particularly up in

1 Puget Sound, there are some rivers where,
2 believe it or not, there are some agencies have
3 actually suggested that the maximum allowable
4 fish, about 2 to 300 fish, and these are big
5 rivers that you can only sustain 2 or 300 fish
6 and that therefore it be jeopardy to the fish,
7 this is great paradox, to let them survive, so
8 we will hear some of the testimony.

9 So I -- and I know the work that many
10 recovery groups have done pioneered by Fish
11 First and others to actually take truck loads --
12 wagon, you think we got tough jobs. These guys
13 take truck loads of dead fish and pitchfork them
14 into rivers. So maybe that would help us clean
15 up Congress that we pitchfork some dead fish.

16 SPEAKER: Or members.

17 MR. WALDEN : One of the questions I
18 have and I don't know that we can answer it
19 today, but when we tried -- one of the ways we
20 tried to selectively harvest, we have alluded
21 earlier to tangle nets and the length of time
22 they are in the stream and survival boxes. We

1 also time when the nets can be in the river and
2 we tend to say, "Okay, we are going to let x
3 number of fish get through, and once those fish
4 are through, we're then going to -- then allow
5 an increased harvest."

6 I worry that we are creating a strange
7 evolutionary pressure on those fish. An
8 unnatural evolutionary pressure and my
9 assumption is that nature has a -- generally,
10 when we stick with nature, we do a little
11 better. And nature must have those fish come
12 back over a time period for a reason. It's just
13 common sense that said to me that maybe instead
14 of saying we are going to let the first 200,000
15 get by, then we are going to hit them with a
16 harvest, we ought to parcel it out over that
17 timeframe. You know, harvest some the first
18 couple of days and then let a batch through.
19 Any insights on that? It's just my intuition,
20 but --

21 MR. BAKKE: Well, my comment on that
22 Congressman, would be to have you look at how

1 Alaska manages their runs. And it's on a
2 escapement-based harvest management, so they let
3 portions of the run to go through over the whole
4 course of run, then they will allow the harvest
5 to happen, once they know that they are getting
6 their escapement goal.

7 Here, it's all hatchery-based
8 management. The wild fish, until the Endangered
9 Species Act came along, was essentially
10 incidental, in the sense that it didn't really
11 count. It wasn't really part of the equation.
12 They were out there harvesting hatchery fish,
13 that's why you had 80 and 90 percent harvest
14 rates and the wild fish couldn't sustain
15 themselves. If it were escapement-based, then
16 those kinds of problems wouldn't have preceded
17 the situation we are faced with today.

18 SPEAKER: I have to disagree with Mr.
19 Bakke on that point. I certainly -- I revere
20 him, he has been in the game a long time, but
21 this is on a forecast model, not a hatchery
22 model, which is quite different. We take a look

1 at what the total number of returning fishes and
2 then base our assumptions on that. So as is the
3 case this year, when those assumptions are off
4 by as much as 50 percent and some communities
5 get closed down early and certainly the sport
6 fishing community across Northwest has paid that
7 price dearly.

8 The escapement model that's used in
9 Alaska, which is correct, has resulted in a
10 sustainable harvest model. However when, for
11 instance, spring chinook coming off the mouth of
12 dam at the peak of that run, generally it's the
13 third week of April and the biologist -- these
14 are the most studied fish on the planet, so they
15 have a pretty good idea when they are coming
16 through the system.

17 When they go through and you work on an
18 escapement model, so you allow them to go over
19 the dam, you have just missed all that
20 opportunity from the economic side. It's that
21 balance. How do we balance? And that's the real
22 question here, I think, is how we balance the

1 harvest against the needs of, you know, these
2 returning fish. They are absolutely essential
3 to communities, because I see it firsthand from
4 Astoria, just on the Columbia River run, all the
5 way to Riggins, Idaho. People are driving and I
6 know Congressman Dicks has seen down in
7 (inaudible T2 129 33). That's seer boats down
8 there. I was at Tillamook this last weekend.
9 It's unbelievable what it does --

10 MR. WALDEN: Let me ask you about that,
11 Trey. Gillnetters will say, "Hey." They will
12 say the reverse thing. "We have to sit out and
13 told we can't harvest the fish," and they'll --
14 some will assert that with tangle nets and with
15 recovery boxes, they are actually pretty darn
16 selective and they feel they have to sit out and
17 watch the sport fisherman out there hammering
18 the fish for several weeks before they get in.
19 Do we need to do something on the sport fishery
20 side, to make it a more selective harvest as
21 well?

22 MR. CARSKADON: Well, I think we've

1 done that, Congressman, we do selectively
2 harvest these fish. As this is the case with
3 the commercial fisheries, and I am certainly not
4 going to, you know, be hard on those folks. We
5 are trying to divvy up a very finite piece of
6 the pie, and I think we are --

7 MR. WALDEN: And my assumption is that
8 we all got to work together on this.

9 MR. CARSKADON: I think we have all got
10 to work together, you know, the thing that
11 frustrates us, is we have these stops and the
12 starts in these seasons. When you stop it, and
13 then you initiate season we just lose all the
14 economic impact. We've got one retailer that I
15 was -- we were in a meeting last night, we'll be
16 in another meeting tomorrow night, and this is
17 all off the clock, by the way, that said just
18 spring chinook run costs one of the stores a
19 half a million dollars. That means somebody is
20 going home.

21 At one of the factories I represent,
22 Limwell Boats, in Medford they are going to be

1 spending people home here pretty quick, because
2 people aren't going to buy a \$20 to \$50,000 boat
3 to go trout fishing. They buy it to go salmon
4 fishing. We see the same thing at Smoker Craft
5 and in Staten, Oregon, another large boater with
6 same kinds of features.

7 MR. WALDEN: One of the things, maybe
8 that you could help me with is, are there some
9 ways that we can, you know, there I mentioned
10 earlier, in some of the questions about the
11 mortality of catch and release and it's not a
12 perfect system. I welcome, and we probably
13 don't have time to cover it here, but would
14 welcome some input on ways that we can improve
15 the selectivity of both the sport fishing and
16 the commercial fishing and whether that's
17 timing, whether it's gear, whether it's
18 techniques for, you know, letting them go while
19 they are still in the water, et cetera. - and
20 you folks are literally the experts at it and we
21 would welcome some input on that. And I am
22 getting the final time sign here, so any final

1 question from Greg or --

2 MR. LOOMIS: The only thing I would say
3 on that subject, in sport fishing, you know, we
4 use barbless hooks sometimes go to a single
5 hook, you know, we are just using -- you know,
6 you'd hook a herring with a single hook and then
7 when the fish comes up, you look at it in the
8 water and if it has got a fin, you release it.

9 MR. WALDEN: Yeah.

10 MR. LOOMIS: Right there and then. And
11 the fisheries departments have classes around
12 the state for the fishing groups to teach them
13 how to not handle these fish and get them
14 released so that the incidental take level would
15 as low as possible. So, you know, those are
16 just the couple of things I would mention that
17 are done in the recreational --

18 MR. BAIRD: I just want to make sure we
19 do as much as possible on all sides. Again, I
20 want to thank this panel and maybe offer a
21 couple of concluding remarks. You know, when
22 Norman, Greg and I got together and started

1 talking about this people said you don't even
2 want to go there. You know, there a lot of --
3 there's been a lot of water over the dam, so
4 speak on this issue, but the fact is we look at
5 so many people who depend on this for their
6 enjoyment, for their livelihood, for their
7 culture, for their history.

8 We know how important the fish are to
9 our region. We know it's the law and we know
10 how economically consequential this has been and
11 frankly the easier thing for us and maybe for
12 all of you here today, would have either been to
13 avoid the issue entirely or demagogue it. And
14 we have opted to try not to do either of those.
15 And I appreciate so much all of you being here
16 and offering this input.

17 We have resolved, when we started this,
18 we are committed to doing everything we can to
19 try to restore these fish to the maximum
20 possible levels for our future generations and
21 this is not one of these hearings where we pat
22 ourselves on the back and say, "Well, we did a

1 hearing." We now will have another meeting at
2 the Tacoma another one in Eastern Oregon, and
3 then we will get together and we will come up
4 with some ideas for ways we can try to make this
5 work better.

6 We will work with the agencies, with
7 the interest groups. We don't pretend that
8 nobody will be asked to make any changes.
9 Everybody has been asked to make changes
10 already, but we will do our best to make sure
11 it's rational, fair, reasonable and successful,
12 because, Good Lord, asking people to make all
13 these changes, if it's not going to work,
14 doesn't make any sense at all. So I want to
15 thank all of you for being here. Greg or Norm
16 if you have some final comments, I would welcome
17 those and I want to thank them for taking their
18 time.

19 Mr. DICKS: I only thing I would say, I
20 want to thank Brian and his staff, here. We
21 have to give them a round of applause for the
22 great job that they did organizing this.

1 (Applause)

2 MR. DICKS: I have been a fisherman in
3 this State for probably close to 55 years. I
4 hate to admit that, but it's been a long time.
5 And so, I can say firsthand that I have
6 witnessed especially, you know, when the straits
7 of Wanda Fuka, where we used to fish at Nehalam
8 Bay, just a great difference in the number of
9 fish, the abundance of the fish.

10 And I believe that this a very crucial
11 issue and that's why we have been quietly
12 working on this, doing the mass marking, trying
13 to get this thing in place, so we could move to
14 a selective harvest. And, you know, what I want
15 to do is just try to work with every group
16 that's going to be affected by this, to try to
17 make sure that we do this in a way that makes
18 sense and that's why we are having these
19 meetings. And I am very pleased to have
20 especially Congressman Walden. You know when
21 you are Republican and then from Oregon, you
22 know, we have to work together on a bipartisan

1 basis, but he is in the majority party and he
2 can get something done.

3 (Laughter)

4 MR. DICKS: Occasionally, Baird and I
5 can get something done but we are glad to have
6 his participation in this. And as I said, we
7 have been working on this. We now think we are
8 at the point where we can move more dramatically
9 towards a selective harvest and that's what we
10 are going to try to do.

11 MR. WALDEN: Well, thank you. I want
12 to thank Brian and his staff as well. They did
13 a terrific job and Norm, knowing how you go at
14 things with such gusto, I now understand after
15 55 years of killing fish, why there is so few
16 left.

17 (Laughter)

18 SPEAKER: Terrible, I always release
19 almost --

20 SPEAKER: Except that one.

21 SPEAKER: One, yeah. That one.

22 MR. WALDEN: And I appreciate the fact

1 that when you look to the South to Oregon for a
2 Republican in the house, you could work with,
3 you finally picked me. Because I am only the
4 House Republican in Oregon. You know it took
5 you months and months --

6 SPEAKER: An endangered species, by the
7 way.

8 MR. WALDEN: Oh, no don't go there.
9 But all that aside, this is I think one of the
10 biggest issues to face our region, from every
11 perspective. And I would just concur with what
12 my colleagues have said. We want to try and
13 learn as much as we can and then try to come to
14 grips with how we can be a positive influence.

15 And since most of you have paid homage
16 to Norm for the fishing marking effort over the
17 years, I think you know you have got people here
18 who care a lot about this region. And they have
19 been willing to step up over time, as we have
20 been in the Congress, to do thing right and we
21 are committed to that and we will look forward
22 for the meeting tomorrow at Tacoma.

1 SPEAKER: I'd just say one point on
2 that. About carrying on a tradition. When I
3 was on Senator Magnuson staff, between 1968 and
4 1976, one of the last things he was working on
5 was the 200 mile limit. The original Magnuson
6 Act, which now is the Magnuson Stevens Act and
7 Senator Stevens is still on the Senate.

8 And there has been, over the years, a
9 tremendous amount of work done by legislators
10 from the Pacific Northwest in this area,
11 thinking of the Power Planning Act, for example.
12 And in this whole recent effort on mass marking
13 selective harvest and still -- these challenges
14 are out there and we haven't gotten the job done
15 and so that's one of the things that's most
16 important, is to keep our -- keep focus like a
17 laser beam. We've got to recover these species
18 and there isn't a success until we've got it
19 done and it hasn't happened yet, so we -- that's
20 why we think it's time to re-analyze everything.
21 All the H's and try to figure out a way to get
22 this thing moving in a more - more towards

1 recovery. Recovery has got to be the final
2 goal, and we've got to get there.

3 MR. WALDEN: Thanks very much. If you
4 have written testimony or comments please
5 provide them. Thank you.

6 (Applause)

7 (Whereupon the PROCEEDINGS were
8 adjourned.)

